

DRAFT 10-29-13.6

WYOMING GAME AND FISH COMMISSION

CHAPTER 10

**REGULATION FOR IMPORTATION, POSSESSION, CONFINEMENT,
TRANSPORTATION, SALE AND DISPOSITION OF LIVE WILDLIFE**

Section 1. Authority. This regulation is promulgated by authority of W.S. §23-1-102, §23-1-103, §23-1-302(a), (vi), (xii), (xv), (xxii) and (xxvi), §23-2-105, §23-2-208, §23-2-305, §23-3-116, §23-3-301, §23-3-302, §23-4-101, §23-4-102, §23-4-103, §23-4-201 through §23-4-205, §23-5-101, §23-5-201, §23-5-203 and §23-6-207.

~~**Section 2. Regulation.** The Wyoming Game and Fish Commission hereby adopts the following regulation governing importation, possession, confinement, transportation, sale and disposition of live wildlife. The Commission empowers the Department to administer and enforce this regulation. No person shall import, possess, confine, transport, sell, or dispose of live wildlife governed under this regulation, except as authorized by this regulation. The single game farm existing on or before January 1, 1975, as referred to in Wyoming Session Laws 1975, ch. 83, s2, shall only conduct operations under a permit issued by the Department and in accordance with this regulation. This regulation shall remain in effect until modified or repealed by the Commission.~~

~~**Section 3. Purpose.** Wildlife conservation within this State is the statutory responsibility, under Title 23, of the Wyoming Game and Fish Commission and the professional function of the Wyoming Game and Fish Department. Scientific data clearly demonstrates that importation, possession, confinement, transportation, sale and disposition of wildlife regulated by this Commission may result in disease, genetic, ecological, environmental, and other threats to Wyoming's wildlife resources. It shall be the purpose of this regulation to protect Wyoming's wildlife resources from these threats.~~

Section 42. Definitions. For the purpose of this regulation, definitions **Definitions** shall be as set forth in Title 23, Wyoming Statutes, **Commission regulations**, and the Commission also adopts the following definitions:

(a) "Annual fish health inspection" means an on-site, annual formal inspection by an Inspecting Agent of all lots of fish at each facility or brood stock location. The inspection shall be designed to assay for pathogens listed as prohibited or notifiable. Said inspection shall be made in accordance with procedures listed in the latest edition of American Fisheries Society/Fish Health Section "Suggested Procedures for the Detection and Identification of Certain Finfish and Shellfish Pathogens" (Bluebook) or Appendix I of this regulation.

(b) "Approved laboratory" means a professional diagnostic or analytical laboratory qualified to conduct specific analyses and approved in advance by the Wyoming Game and Fish Department.

(c) "Approved laboratory technician" means an employee of an approved laboratory who is supervised by either an aquatic animal health inspector or fish pathologist and who is trained to collect non-lethal samples (collection of ovarian and seminal fluids) from fish brood stocks in accordance with procedures defined in the latest edition of "Suggested Procedures for the Detection and Identification of Certain Finfish and Shellfish Pathogens" (Bluebook) published by the Fish Health Section of the American Fisheries Society.

(d) “Aquaponics” means an artificial system, not connected to natural waterways, managed for sustainable food production, combining aquatic animal rearing with the cultivation of plants in water, under an interrelated closed environment.

(e) “Aquatic animal health inspector” means any individual approved by the Department whose qualifications meet standards established by the Board of Certification of the Fish Health Section of the American Fisheries Society for certification as an aquatic animal health inspector.

(df) “Cage and aviary birds” means those exotic captive-reared birds, such as parrots, exotic finches, and canaries, which are adapted to live and breed in a cage. For purposes of this regulation the monk parakeet (*Myiopsitta monachus*) is not a cage and aviary bird.

(eg) “Carrier” means an individual which harbors the specific pathogen capable of causing disease but which shows no signs of the disease.

(fh) “Certificate of veterinary inspection” means an official health certificate. It shall be a legible record covering the requirements of the State of Wyoming as listed in this regulation and as recorded on an official form from the state of origin and approved by the animal health official of the state of origin, or an approved form of the United States Department of Agriculture which shall be issued by an accredited, licensed veterinarian. All certificates of veterinary inspection shall be issued to comply in all respects with requirements of the State of Wyoming. The certificate of veterinary inspection shall delineate the total number of animals covered by the certificate. It shall indicate the health status of the animals involved, including dates and results of required tests and vaccinations, the mailing addresses of the consignor and consignee, the origin of the wildlife, their actual Wyoming destination, and an accurate description including proper taxonomic identification with genus and species names. It shall designate the official ear tag number, individual animal tattoo, individual animal brand, individual animal number, or similar individual identification of each animal. A certificate of veterinary inspection may also mean a fish health inspection report. This shall be a report signed by an aquatic animal health inspector or fish pathologist (as applicable) which documents the last known disease status of all lots of fish at a facility (or a wild, free-ranging brood stock) resulting from on-site inspection, sampling, and subsequent examination of the collected tissues and fluids for the detection of disease agents listed in this regulation.

(gi) “Commercial use” means utilizing wildlife in sale, trade, barter, brokerage, or other commerce.

(h) “Department” means the Wyoming Game and Fish Department whose mailing address is: 5400 Bishop Boulevard, Cheyenne, WY 82006, or 3030 Energy Lane, Casper, WY 82604.

(ij) “Dog field trial” means and includes any trial held under rules of a dog or kennel club for the purpose of gaining points toward a championship; and any practice or training trial where there is organized competition and training of dogs for the purpose of preparing for a trial.

(jk) “Dog training” means the activity of training or teaching dogs to hunt game birds by the use of pen-raised game birds.

(kl) “Domestic animals” means those populations of animals which through long association with humans have been bred to a degree which has resulted in genetic changes affecting the color, temperament and conformation, or other attributes of the species to an extent that makes them unique and distinguishable from wild individuals of their species. For the purpose of this regulation, only the following animals are considered domestic:

ass, burro, and donkey (*Equus asinus*),

bison (Bison bison); except those classified as wild bison by the Wyoming Game and Fish Commission and the Wyoming Livestock Board within Wyoming are not domestic,
 'cat (Felis catus),
 'domestic cattle (Bos taurus and Bos indicus),
 'domestic chicken (Gallus gallus),
 'dog (Canis familiaris),
 'domestic ferret (Mustela furo),
 'domestic goat (Capra hircus),
 'domestic greylag goose (Anser anser),
 'horse and pony (Equus caballus),
 'domestic mallard (Anas platyrhynchos) distinguished morphologically from wild mallards and pen raised mallards routinely utilized for dog training,
 'mule and hinny (Equus asinus x Equus caballus),
 'domestic muscovy duck (Cairina moschata),
 'pigeons (Columba livia),
 'domestic sheep (Ovis aries), distinguished morphologically from wild sheep,
 'domestic swan goose (Anser cygnoides),
 'domestic swine (Sus domesticus),
 'domestic turkey (Meleagris gallopavo) distinguished morphologically from wild turkeys.

(~~hm~~) "Domesticated animals" means those individual animals which have been made tractable (easily managed or controlled) or tame. For the purpose of this regulation, only the following animals are considered domesticated:

'domesticated alpaca (Lama pacos),
 'domesticated camel (Camelus bactrianus and Camelus dromedarius),
 'domesticated chinchilla (Chinchilla laniger),
 'domesticated emu (Dromaius novaehollandiae),
 'domesticated European rabbit (Oryctolagus cuniculus),
 'domesticated Mongolian gerbil (Meriones unguiculatus),
 'domesticated guinea fowl (Numida meleagris),
 'domesticated guinea pig (Cavia porcellus),
 'domesticated hamster (Mesocricetus auratus),
 'domesticated llama (Lama glama),
 'domesticated mouse (Mus musculus),
 'domesticated ostrich (Struthio camelus),
 'domesticated peafowl (Pavo cristatus),
 'domesticated rat (Rattus norvegicus and Rattus rattus),
 'domesticated rhea (Rhea americana and Rhea pennata),
 'domesticated vicuna (Vicugna vicugna),
 'domesticated yak (Bos grunniens).

(~~mm~~) "Endangered and threatened wildlife" means wildlife listed in the Federal "List of Endangered and Threatened Wildlife" as published in the Federal Register and referred to as Title 50 Code of Federal Regulations, Part 17, Section 11 (50 CFR 17.11) dated October 1, ~~2002~~**2012**, and which does not include any later amendments or editions of the incorporated matter.

(~~no~~) "Falconry" means the sport of taking quarry by means of a trained raptor.

(~~op~~) "Falconry training" means the activity of training or teaching raptors to hunt game birds by the use of pen-raised game birds.

(pg) “Fish or gamete source” means any source that supplies live fish, fertilized eggs, or gametes to any facility or water in the State of Wyoming.

~~(q) “Aquatic animal health inspector” means any individual approved by the Department whose qualifications meet standards established by the Board of Certification of the Fish Health Section of the American Fisheries Society for certification as an aquatic animal health inspector.~~

(r) “Fish health inspection report” means certificate of veterinary inspection.

(s) “Fish pathologist” means any individual approved by the Department whose qualifications meet standards established by the Board of Certification of the Fish Health Section of the American Fisheries Society for certification as a fish pathologist.

(t) “Game farm” means the single game farm existing on or before January 1, 1975, the NX Bar Ranch previously owned by Allen O. Fordyce (herein referred to as "the NX Bar Game Farm"), which is the game farm operation referenced in Wyoming Session Laws 1975, ch. 83, s2.

(u) “Holding facility(ies)” or “facility” means the physical structure designed to confine and handle live wildlife. The holding facility shall be defined by legal description to the quarter/quarter section or Universal Transverse Mercator (UTM) coordinates where live wildlife shall be possessed or confined. Facility also means any fish hatchery, rearing station, aquaculture station or unit, research unit, live car or net-pen, brood stock trap, or holding pond or structure where fish eggs are collected, incubated, or hatched, or where fish are held or reared for any purpose.

(v) “Hybrid” means an animal produced by crossing species or subspecies.

(w) “Import/importation” means to bring or cause live wildlife to be brought into Wyoming by any means.

(x) “Importation/possession permit” or “Permit” means a written permit issued by the Commission through the Department to allow importation, possession, confinement, transportation, or disposition of wildlife. A permit may also mean a Wyoming Game and Fish Department Permit for interstate transportation of live wildlife. An interstate transportation permit shall only allow transportation of live wildlife through the State of Wyoming for a period not to exceed twenty-four (24) consecutive hours from the time of issuance.

(y) “Inspecting agent” means any individual approved by the Department who is certified as an aquatic animal health inspector, a fish pathologist or qualified as an approved laboratory technician.

(z) “Institution of higher education” means the University of Wyoming and community colleges within Wyoming as defined in Wyoming Statute §21-16-501.

(aa) “Isolation facility” means a fish culture unit operated by a public entity for the quarantine of fish or fish gametes for brood stock development of wild or endemic populations. The unit shall be self-contained and isolated from other fish culture facilities with controlled access for quarantine of fish products and disease prevention.

(bb) “Lot” means a group of fish of the same species and age group originating from the same spawning population, and sharing the same water supply. Various year classes may comprise the same lot under certain conditions. For example: Yearlings and two (2) year old progeny may be considered the same lot as the adult, spawning brood stock provided the other criteria in the definition are present. Also, fish of the same species but from different spawning populations, adequately inspected, then combined into one

group may henceforth be regarded as one, single lot as long as they continue to share the same rearing space.

(cc) "Marine fish" means those fish capable of living only in salt water. For purposes of this regulation, fish that migrate between fresh and salt water as part of their life history (anadromous and catadromous) are not marine fish.

(dd) "Molluscicide" means an agent that kills mollusks, i.e., snails and slugs.

(ee) "Optimal time for detection" means that season of the year or life-stage of fish where a disease is most likely to occur or that is most conducive to the detection of pathogens.

(ff) "Pathogen" means one of the following: 1) "Notifiable pathogen" means a pathogen of special concern, as determined by the Wyoming Game and Fish Department, capable of causing fish losses and which is treatable or manageable through existing technology or effective management at fish culture facilities; 2) "Prohibited pathogen" means a pathogen capable of causing significant mortality and fish health problems, as determined by the Wyoming Game and Fish Department, and for which the only known means of control are avoidance and eradication; 3) "Reportable pathogen" means all pathogens or diseases not listed in the prohibitive, or notifiable categories.

(gg) "Pen-raised game bird" means a privately-owned game bird that is legally in possession of the holder of an importation/possession permit.

(hh) "Permittee" means the person in whose name a permit has been issued by the Department authorizing importation, possession, confinement, transportation, or disposal of wildlife.

(ii) "Possess/possession" means to have physical control or domination over wildlife with or without ownership; this includes confinement or transportation of live wildlife; possession also includes constructive possession which means not actual but assumed to exist, where one claims to hold by virtue of some title, without having actual custody.

(jj) "Prevalence" means the proportion or percent of cases of a disease, or a disease agent, present in a population at a given time.

(kk) "Quarantine" means a holding facility, approved in advance by the Department, constructed to prevent contact between quarantined wildlife and any other animals, to prevent escape of quarantined wildlife, and to allow humane restraint and handling of quarantined wildlife. Quarantine may also refer to the period of time during which an animal(s) is confined in a quarantine facility. 1. "Pre-entry quarantine" means a quarantine facility in the state of origin of wildlife to be imported. The quarantine facility shall be approved in advance by the Wyoming Game and Fish Department or the Department's designated animal health official in the state of origin of wildlife to be imported. Usually pre-entry quarantine is on the premise of origin. Pre-entry quarantine is always the last place of confinement immediately before wildlife are shipped directly to Wyoming; or the period of time during which an animal(s) is confined in a pre-entry quarantine facility. 2. "Post-entry quarantine" means a quarantine facility in Wyoming approved in advance by the Wyoming Game and Fish Department. Usually post-entry quarantine is on the premise of destination. Post-entry quarantine is always the first place of confinement after wildlife are shipped directly to Wyoming; or the period of time during which an animal(s) is confined in a post-entry quarantine facility.

(ll) "Raptor" means a live bird of the Order Falconiformes (commonly called vultures, hawks, falcons and eagles) other than a turkey vulture (Cathartes aura), an osprey (Pandion haliaetus), or a bald eagle (Haliaeetus leucocephalus).

(mm) “Reasonable action” means any action which may include sampling and clinical inspections which are known to be scientifically acceptable (as listed in this regulation) including taking of wildlife, fish stock destruction or other disposal, quarantine, pathogen eradication and facility disinfection and which is determined to be consistent with the risk or severity of the wildlife health issue and the likelihood of a successful solution.

(nn) “Species” means the biological classification of individuals having common attributes, potentially capable of interbreeding under natural conditions but usually not with members of another species, and designated by a binomial consisting of genus and specific names decided upon by recognized scientific authorities.

(oo) “Transgenic” means modifying the genetics of an organism with inserted deoxyribonucleic acid (DNA) that originated in a different species, using genetic engineering techniques.

(pp) “Tropical fish” means those fish whose survival in water temperatures below fifty (50) degrees Fahrenheit is not documented in scientific literature.

(qq) “Wild” means all those animals not defined as domestic or domesticated in this regulation.

(rr) “Wildlife” means every wild mammal, bird, fish, amphibian, reptile, mollusk, crustacean, their viable gametes (eggs and sperm), fertilized eggs, or any hybrid (including hybrids between wildlife and wildlife and hybrids between wildlife and domestic or domesticated animals) or any transgenic product thereof.

(ss) “Wolf hybrid” means any animal produced by crossing a wolf with a dog or another species or subspecies.

Section 53. Importation/Possession Permit Required For Live Wildlife. Except as exempted in this regulation, a permit from the Department is required prior to importation, possession, confinement, or transportation of any living wildlife. Any living wildlife may be transported through the state of Wyoming if the person transporting said wildlife is in possession of a valid permit for interstate transportation of live wildlife. An interstate transportation permit shall be valid as long as live wildlife are confined within the conveyance. It is a violation of this regulation to intentionally or unintentionally release within Wyoming any wildlife held under an interstate transportation permit.

(a) Importation/Possession Without Permit. The animals listed in this subsection are exempt from this regulation and may be imported, possessed, transported, or confined without securing a permit from the Department. (However, the Wyoming Livestock Board **and the Wyoming Department of Agriculture** should be contacted regarding their regulations.)

(i) Birds

cage and aviary birds,
domestic chicken (Gallus gallus),
domesticated emu (Dromaius novaehollandiae),
domestic greylag goose (Anser anser),
domesticated guinea fowl (Numida meleagris),
domestic mallard (Anas platyrhynchos) distinguished morphologically from wild mallards,
domestic muscovy duck (Cairina moschata),
domesticated ostrich (Struthio camelus),
domesticated peafowl (Pavo cristatus),

pigeons (Columba livia),
domesticated rhea (Rhea americana and Rhea pennata),
domestic swan goose (Anser cygnoides),
domestic turkey (Meleagris gallopavo) distinguished morphologically from wild turkeys,

predacious birds as defined in Wyoming Statute §23-1-101(~~ia~~)(vii): ~~English-
(house) sparrow (Passer domesticus) and starling (Sturnus vulgaris).~~

(ii) Mammals

domesticated alpaca (Lama pacos),
ass, burro, and donkey (Equus asinus),
bison (Bison bison); except those classified as wild bison by the Wyoming Game and Fish Commission and the Wyoming Livestock Board,
domesticated camel (Camelus bactrianus and Camelus dromedarius),
cat (Felis catus),
domestic cattle (Bos taurus and Bos indicus),
domesticated chinchilla (Chinchilla laniger),
dog (Canis familiaris),
domestic ferret (Mustela furo),
domesticated Mongolian gerbil (Meriones unguiculatus),
domestic goat (Capra hircus),
domesticated guinea pig (Cavia porcellus),
domesticated hamster (Mesocricetus auratus),
horse and pony (Equus caballus),
domesticated llama (Lama glama),
domesticated mouse (Mus musculus),
mule and hinny (Equus asinus x Equus caballus),
domesticated European rabbit (Oryctolagus cuniculus),
domesticated rat (Rattus norvegicus and Rattus rattus),
domestic sheep (Ovis aries), distinguished morphologically from wild sheep,

domestic swine (Sus domesticus),
domesticated vicuna (Vicugna vicugna),
domesticated yak (Bos grunniens).
predatory animals, excluding wolves and wolf hybrids, as defined in Wyoming Statute §23-1-101(a)(viii): coyote (Canis latrans), jackrabbit (Lepus townsendi and Lepus californicus), porcupine (Erethizon dorsatum), raccoon (Procyon lotor), red fox (Vulpes vulpes), skunk (Mephitis mephitis and Spilogale putorius). Wolves (Canis lupus) or wolf hybrids may not be possessed, imported or sold.

(b) Live wildlife listed in this subsection (excluding any that are endangered or threatened), may be imported, possessed, confined or transported without securing a permit from the Department under this regulation as long as wildlife are held in compliance with appropriate Commission regulations and Wyoming Statutes. A certificate of veterinary inspection shall be issued prior to live wildlife listed in this subsection being imported into the State of Wyoming, unless otherwise specified in this regulation. The Wyoming Game and Fish Commission may consider an application for importation or possession of any animals listed in this subsection that are endangered or threatened by governmental entities, or institutions of higher education for education or research, or to meet Department wildlife management goals, when a need is demonstrated by the applicant.

(i) It is a violation of this regulation to release, abandon or allow to escape any live wildlife listed in this subsection without prior written authorization from the Department, except as may be

provided by Wyoming Statutes or other Commission regulations. All live wildlife released or abandoned without written authorization from the Department may be taken by Department personnel.

(A) Amphibians. All amphibians, except that the importation or possession of the ~~Manitoba toad (*Bufo hemiophrys*)~~ **Wyoming Toad (*Anaxyrus baxteri*)** is prohibited; certificate of veterinary inspection is not required. Amphibians shall not be imported into the State for use as live fishing bait.

(B) Birds

(I) Hawks or falcons, legally imported, possessed, confined or transported under terms of Wyoming Statute §23-2-105 and ~~Wyoming Game and Fish Commission Regulation, Chapter 25, Falconry Regulation or Chapter 37, Raptor Propagation Regulation~~ **Chapter 25, Falconry and Raptor Propagation Regulation**; certificate of veterinary inspection is not required; and,

(II) Game birds legally imported, possessed, confined or transported under terms of Wyoming Statute §23-5-102 and Wyoming Game and Fish Commission Regulation, Chapter 40, Regulation Governing Commercial Game Bird Farms.

(C) Crustaceans and Mollusks. All crustaceans and mollusks, except that the importation or possession of ~~the rusty crayfish (*Orconectes rusticus*), New Zealand mudsnail (*Potamopyrgus antipodarum*), Asian Clam (*Corbicula fluminea*), quagga mussel (*Dreissena rostriformis*) or the zebra mussel (*Dreissena polymorpha*)~~ **crustaceans and mollusks defined as aquatic invasive species in Commission Regulation Chapter 62, Regulation for Aquatic Invasive Species** is prohibited; all crustaceans and mollusks must be confined in aquariums; certificate of veterinary inspection is not required. Crustaceans and mollusks shall not be imported into the State for **release into the waters of the state or for** use as live-fishing bait.

(D) Fish

(I) Fish imported, possessed, or transported under terms of Wyoming Statutes relating to private fish hatcheries, private fishing preserves, live bait fish dealers, and landowner fishing lakes and ponds provided the fish are certified disease free as specified in Appendix I of this regulation and are of a species compatible with existing wildlife as determined by the Department. The fish must be accompanied by the appropriate authorization, receipt or license as required by Commission regulation. ~~(Refer to Wyoming Game and Fish Commission Regulations, Chapter 46 Fishing Regulations, Chapter 49 Regulation Governing Private Fish Stocking, Chapter 50 Regulation Governing Fishing Preserves, Chapter 51 Regulation Governing Private Fish Hatcheries, Chapter 53 Regulations Governing Landowner Fishing Lakes or Ponds and Chapter 62 Regulation for Aquatic Invasive Species);~~

(II) Importation or possession of diploid grass carp (*Ctenopharygodon idella*), bighead carp (*Hypophthalmichthys nobilis*), silver carp (*Hypophthalmichthys molitrix*) and black carp (*Mylopharyngodon piceus*) **and all fish defined as aquatic invasive species in Commission Regulation Chapter 62, Regulation for Aquatic Invasive Species** are prohibited;

(III) Importation or possession of certified triploid grass carp (~~*Hypophthalmichthys nobilis*~~) (***Ctenopharygodon idella***) requires permit approval through **Commission Regulation** Chapter 49, Regulation Governing Private Fish Stocking;

(IV) Goldfish (*Carassius auratus*); all goldfish must be confined in aquariums; certificate of veterinary inspection is not required;

(V) Marine fish; all marine fish must be confined in aquariums; certificate of veterinary inspection is not required; and,

(VI) Tropical fish; all tropical fish must be confined in aquariums; certificate of veterinary inspection is not required.

(VII) Aquaponics; all marine and tropical fish reared in aquaponics or other artificial environments not connected to waters of the state; certificate of veterinary inspection is not required.

(E) Mammals: sugar gliders (Petaurus breviceps); hedgehogs (Erinaceus spp.); and pot-bellied pigs (Sus scrofa vittatus); certificate of veterinary inspection is not required.

(F) Reptiles: all reptiles; certificate of veterinary inspection is not required. Reptiles shall not be imported into the State for use as live bait for fishing.

(G) The Department may allow the importation, possession, confinement or transportation without securing a permit under this regulation of any captive reared live wildlife that are adapted to live and breed in a cage or aquarium and that are normally sold through commercial pet stores providing the Department is satisfied that such wildlife does not threaten Wyoming's wildlife resources as listed in Section ~~64~~(b)(viii) of this regulation. The Department may require a certificate of veterinary inspection for such wildlife.

(c) Importation/Possession Permit Required. The following live wildlife may be possessed without a permit if captured in the State of Wyoming, but shall not be imported prior to securing a permit under this regulation. A permit shall be required to take wildlife listed in this section for commercial use.

(i) All wildlife ~~listed in Section 6 of the Wyoming Game and Fish~~**approved for take without a permit or license in** Commission Regulation, Chapter 52, Nongame Wildlife Regulation. However, mollusks (~~excluding Asian Clam (Corbicula fluminea), quagga mussel (Dreissena rostriformis), zebra mussel, (Dreissena polymorpha), New Zealand mudsnail (Potamopyrgus antipodarum)~~), crustaceans (~~excluding rusty crayfish, (Oreoneates rusticus)~~), reptiles and amphibians (~~excluding Manitoba toad, (Bufo hemiophrys)~~**Wyoming Toad (Anaxyrus baxteri)**) may be imported without a permit, **except for those species defined as aquatic invasive species in Commission Regulation Chapter 62, Regulation for Aquatic Invasive Species.**

(d) Wildlife Prohibited from Importation/Possession.

(i) ~~Wyoming Statute §23-1-103 states: "There shall be no private ownership of live animals classified in this act as big or trophy game animals or of any wolf or wolf hybrid". Big game animals are defined in Wyoming Statute §23-1-101 (a) (i) as follows: antelope (pronghorn, Antilocapra americana), bighorn sheep (Rocky Mountain bighorn sheep, Ovis canadensis), deer (mule deer, Odocoileus hemionus and white-tailed deer Odocoileus virginianus), elk (Cervus elaphus nelsoni), moose (Alces alces), or mountain goat (Oreamnos americanus). Trophy game animals are defined in Wyoming Statute §23-1-101 (a) (xii) as follows: black bear (Ursus americanus), grizzly bear (Ursus arctos) or mountain lion (Felis concolor).~~**There shall be no private ownership of big or trophy game animals or any wolf or wolf hybrid.**

(ii) In addition, a permit shall not be issued for importation or possession of the following live wildlife in Wyoming:

(A) All members of the family Suidae, except those exempt in Section ~~53~~(a)(ii) and Section ~~53~~(b)(i)(E);

(B) All members of the order Rodentia from Africa, including but not limited to Tree squirrels (Heliosciurus sp.); Rope squirrels (Funisciurus sp.); Dormices (Graphiurus sp.); Gambian Giant Pouched Rats (Cricetomys sp.); Brush-tailed porcupines (Atherurus sp.); Striped mice (Hybomys sp.);

(C) All members of the family Tayassuidae;

(D) All members of the subfamily Alcelaphinae;

(E) All members of the subfamily Caprinae, except those exempt in Section ~~53~~(a)(ii);

(F) All members of the family Cervidae, except as provided for under Section ~~42~~10 of this regulation;

(G) Asian Clam (Corbicula fluminea);

(H) ~~Manitoba toad~~Wyoming Toad (~~Bufo hemiophrys~~Anaxyrus baxteri);

(I) Monk parakeet (Myiopsitta monachus),

(J) New Zealand mudsnail (Potamopyrgus antipodarum),

(K) Quagga Mussel (Dreissena rostriformis)

(L) Red Wolf (Canis rufus),

(M) Rusty crayfish (Orconectes rusticus),

(N) Wild turkey (Meleagris gallopavo),

(O) Zebra mussel (Dreissena polymorpha) may not be imported.

(iii) The Wyoming Game and Fish Commission may consider an application for importation or possession of these animals listed in this subsection by governmental entities, or institutions of higher education for education or research or to meet Department wildlife management goals, when a need is demonstrated by the applicant.

Section ~~64~~. **Application and Importation/Possession Permit Requirements.** Permits may be issued by the Commission through the Department to import, possess, transport or confine live wildlife subject to the provisions of this regulation. Section ~~64~~ shall not apply to the NX Bar Game Farm subject to Section ~~42~~10. Holders of permits for interstate transportation must only comply with subsections (a), (b) (i)(ii)(iii)(iv)(xi), (e), (f), (g) and (j) of this section.

(a) As a condition of receiving a permit, the permittee shall agree to be solely responsible for all costs, expenses, and damages suffered as a result of importation and possession of wildlife including, but not limited to quarantine or total or partial depopulation on account of contagious diseases or parasites; or costs and expenses associated with the capture of or destruction of escaped wildlife.

(b) Application for a permit shall be submitted to the Department on a form provided by the Department. The application shall be legible, fully completed, and include all of the following:

(i) The name, complete mailing address, street address, and telephone number of the person making application for a permit;

(ii) A separate application shall be submitted for each species or subspecies;

(iii) The total number of live wildlife to be imported and possessed and their taxonomic designation by genus, species, and subspecies to include any varieties, strains, or geographical races that are recognized;

(iv) The name and address of the supply source(s), or consignor from which the live wildlife shall be obtained;

(v) The purpose(s) for which live wildlife shall be imported or possessed;

(vi) A complete description of the holding facility(ies) to include, but not limited to, the geographic legal description to the quarter/quarter section, fencing specifications and design, size and construction specifications for enclosures and handling facilities;

(vii) A description of the type of tattoo or permanent marking that is proposed by the applicant to be utilized on all wildlife, if such a tattoo or permanent marking is required by the Department;

(viii) Scientific data including, but not limited to, biological evaluations, reports, and studies in order to satisfy any Department concerns that Wyoming wildlife resources shall be adequately protected from such threats as:

(A) Competition, damage, or destruction of habitat;

(B) Disruption of migration, breeding, rearing or survival of young;

(C) Predation;

(D) Disease or Parasitism; and,

(E) Hybridization,

and,

(ix) Certification that the proposed possession of wildlife is not contrary to the laws of the appropriate County or Municipality where wildlife will be possessed, or any other applicable laws or covenants:

(x) The application shall be signed and dated by the applicant; and,

(xi) Incomplete applications shall not be considered by the Department.

(c) The Department shall review the applicant's proposed holding facility(ies) taking into consideration the species applied for, the number of animals requested, the welfare of the animals to be possessed, the purpose(s) for which the animals shall be held, and to insure adequate protection for Wyoming's wildlife resources and human health and safety. Holding facilities shall be constructed to meet Department approval prior to importation or possession of live wildlife.

(i) All wildlife, except as exempt in Section ~~53~~(b)(i)(G), shall be kept within wildlife holding enclosure(s) except when being transported, transferred or treated. The holding facility(ies) shall be designed, constructed and maintained to provide:

- (A) Safety and protection for wildlife and people;
- (B) Facility(ies) shall ensure containment for wildlife and exclusion of other wild and domestic animals;
- (C) Sufficient space to allow normal development and physical behavior, as well as postural and social adjustments with freedom of movement;
- (D) Proper lighting levels;
- (E) Proper ventilation;
- (F) Ability for the permittee to conduct cleaning, sanitation, disinfecting and handling procedures considering safety, escape prevention and while minimizing stress to wildlife;
- (G) Appropriate ambient temperatures;
- (H) Barriers to minimize stress to captive wildlife;
- (I) Parasite and pest control;
- (J) Shelter within enclosure(s) as needed;
- (K) Clean water and appropriate food;
- (L) Nesting or bedding materials; and,
- (M) The facility(ies) shall be kept clean and sanitary.

(d) The applicant shall be furnished written notification of action on the application for a permit by the Department.

(e) Prior to receiving a permit, all appropriate Federal regulations and requirements shall be satisfied. Proof of compliance shall be submitted before a permit may be issued.

(f) A permit or renewal shall be denied or conditioned if necessary to adequately protect Wyoming's wildlife resources from threats, including but not limited to:

- (i) Competition, damage, or destruction of habitat;
- (ii) Disruption of migration, breeding, or rearing and survival of young;
- (iii) Predation;
- (iv) Disease or Parasitism; and,
- (v) Hybridization.

(g) If a permit is issued, the permittee shall obtain the appropriate certificate of veterinary inspection satisfying the requirements of Appendix I or II prior to importation. In addition the permittee shall comply with all of the provisions of this regulation relating to the type of wildlife for which applied prior to importation, possession, confinement, or transportation of live wildlife.

(h) Applications to possess elk (Cervus elaphus) shall only be accepted from governmental entities, or institutions of higher education for education or research, or to meet Department wildlife management goals, when a need is demonstrated by the applicant. All elk shall be tested prior to importation following procedures listed in Appendix II of this regulation to determine that animals are not hybrids. Prior to issuance of a permit, the permittee shall provide the Department with test results. Only pure Rocky Mountain elk (Cervus elaphus nelsoni) may be permitted for importation, except the Wyoming Game and Fish Commission may consider an application for importation or possession of other subspecies of elk by governmental entities or institutions of higher education for education or research, or to meet state wildlife management goals when a need is demonstrated by the applicant. The permittee shall allow the Department or the Department's designated agent to take blood samples from all elk imported into Wyoming within fourteen (14) days following importation or prior to removal of the elk from the holding facility, whichever is earlier, in order to establish genetic marking of each elk. Department ear tags shall be placed in each elk by Department personnel or the designated agent of the Department within fourteen (14) days following importation or prior to removal of elk from the holding facility, whichever is earlier.

(i) As a condition of a permit to import, possess, or confine live wildlife, a permittee may be required to permanently identify all live wildlife and their progeny according to Department specifications within fourteen (14) days following the importation or possession or prior to removal from the holding facility, whichever occurs earlier.

(j) Each container of live wildlife imported into or transported within or through Wyoming shall bear the names and addresses of the consignor and the consignee. Each container shall have a label that clearly describes its contents. Each shipment shall be accompanied by a certificate of veterinary inspection that meets the requirements of this regulation. There shall be a copy of the certificate of veterinary inspection in each and every conveyance. Owners and operators of railroads, trucks, airplanes or other conveyances shall be forbidden to transport any live wildlife into, within or through Wyoming except in compliance with the provisions of this regulation.

(k) The permittee shall maintain current records for the term of the permit on forms approved by the Department. Such records shall be completed accurately and legibly. Original records shall be kept at the holding facility. Data provided on the records shall include dates of purchase, birth, barter, trade, or other form of acquisition; sex, species, subspecies, number of animals captured, received, transported, purchased, reared, date of sale, death, or other form of disposition for each individual animal. Dates and types of disease tests and vaccination records for each animal shall be recorded on the form. Records shall include names and addresses of all suppliers, persons to whom wildlife are sold, traded, bartered, or given, and the date of each transaction.

Section 75. Inspection by Department Personnel. Any person issued a permit under this regulation to import, possess, confine, or transport live wildlife shall allow immediate inspection upon request by Department personnel of records, holding facility(ies), and permitted wildlife during the term of the permit. The Department shall have the right to collect blood or other biological sample(s) for disease testing, genetic identification, or other purposes to protect Wyoming wildlife resources.

Section 86. Notification and Disposition of Diseased or Escaped Wildlife.

(a) Health

(i) The permittee or an authorized agent of the permittee shall notify the Department within twenty-four (24) hours of having reason to believe that wildlife held under a permit pursuant to this regulation may have been exposed to or contracted a contagious disease or parasite. It shall be a violation of this regulation to remove permitted wildlife that there is reason to believe have been exposed to or contracted a contagious disease or parasite from the holding facility(ies) without prior authorization from the Department. The holders of permits for interstate transportation of live wildlife shall immediately notify the Department of the death of any wildlife, or any wildlife exposed to or having contracted a contagious disease or parasite.

(ii) The Department may order inspection by an accredited veterinarian or inspecting agent of permitted wildlife believed to have been exposed to or contracted a contagious disease or parasite. Inspection may be at the expense of the permittee.

(iii) The Department shall determine when destruction, quarantine, or disinfection of diseased wildlife is required at any federal, state, private, or commercial facility. If the Department determines that destruction, quarantine, or disinfection of diseased wildlife, or disinfection of the facility are required, a written order from the Department shall be issued to the permittee or an authorized agent of the permittee setting forth the steps necessary and establishing the time period that the permittee shall carry out such actions.

(b) Escaped Wildlife

(i) The permittee or an authorized agent of the permittee shall notify the Department within twenty-four (24) hours of discovery that permitted wildlife have escaped. If the Department discovers the escape, it shall notify the permittee or his authorized agent within twenty-four (24) hours. If escaped wildlife are not recovered by the permittee or his agent within forty-eight (48) hours following notification to the Department or notification by the Department, the Department may at its discretion take said wildlife. The holders of permits for interstate transportation of live wildlife shall immediately notify an enforcement officer of the Department of any wildlife escapes.

Section 97. Disposition of Live Wildlife. No live wildlife imported, possessed, transported, or confined in the State pursuant to a permit issued under this regulation shall be abandoned, released, removed, or transferred without authorization from the Department. Permitted wildlife released or abandoned without written authorization of the Department may be taken by Department personnel.

Section 108. Game Birds. Live game birds, excluding those held under authority of Wyoming Statute §23-5-102 and Wyoming Game and Fish Commission Regulation, Chapter 40, Regulation Governing Commercial Game Bird Farms, shall only be imported, possessed, confined, transported, or disposed of in accordance with this regulation and the provisions listed in this section. Game birds imported under authority of Wyoming Statute §23-5-102 and Wyoming Game and Fish Commission Regulation, Chapter 40, Regulation Governing Commercial Game Bird Farms or this regulation shall comply with the certificate of veterinary inspection requirements and provisions of Appendix II of this regulation.

(a) Game birds held under a permit, whether live or dead, shall not be sold, traded, bartered or taken except under the provisions of this regulation.

(b) Game birds shall not be taken at locations other than within the holding facilities as described in the permit application, nor shall said game birds be taken by any person other than the permittee, except as provided in subsections (c) and (d) of this section. Game birds may be taken in accordance with Wyoming Game and Fish Regulations, ~~Chapter 13, Partridge Hunting Seasons and Chapter 18, Pheasant Hunting Seasons~~ governing the taking of game birds.

(c) Participants at dog field trial events may take game birds held by permit under the supervision of the permittee subject to the following conditions:

(i) The permittee shall notify the Department in the application for a permit that the permit is for a dog field trial and the dates of the event;

(ii) Department personnel may witness the taking of game birds at these events;

(iii) Live game birds taken at dog field trial events shall remain in possession of the permittee unless the game birds are transferred to a person in possession of a valid permit issued under the terms of this regulation; and,

(iv) Game birds killed at dog field trial events shall remain in the possession of the permittee unless the person in possession of the dead game birds has a receipt for said game birds issued by the permittee on a form approved by the Department.

(d) Pen-raised game birds may be used for dog training or falconry training throughout the year subject to the following conditions:

(i) The person in possession of the pen-raised game birds shall possess a valid, unexpired permit while engaging in dog training or falconry training;

(ii) Any pen-raised game bird may be taken in dog training or in falconry training;

(iii) Before any pen-raised game bird is released or used in dog training or falconry training, the birds shall be toe clipped or possess a leg band attached by the owner of the game birds;

(iv) The permittee shall notify the Department in the application for a permit that the permit is for the purpose of dog training or falconry training and provide the legal description of the land on which the dog training or falconry training shall take place to the nearest section. The permittee may apply for multiple release sites;

(v) Pen-raised game birds shall not be released in locations inhabited by wild game birds of the same species, unless the season for the taking of the species of game birds released is open according to current Commission Regulations;

(vi) Department personnel may witness the taking of pen-raised game birds;

(vii) Live pen-raised game birds shall remain in possession of the permittee;

(viii) Pen-raised game birds may only be taken by the permittee or by a person or persons in the accompaniment of the permittee and game birds killed shall remain in the possession of the permittee;

(ix) Pen-raised game birds may only be taken with firearms **or archery equipment** as provided in ~~W. S. §23-3-110 or bow and arrow or crossbow~~ **by Commission Regulation** or falconry;

(x) A call back pen or live trap may be utilized for the purpose of retrieving pen-raised game birds released into the wild for dog training or falconry training purposes. Any game bird which is not marked according to subsection (d) (iii) of this section which is taken in the call back pen or trap shall immediately be released to the wild. All call back pens or live traps shall have a visibly attached metal tag bearing the owner's name and address; and,

(xi) Regardless of the number of permits issued to the person, a person shall be authorized to possess a maximum of one hundred (100) game birds annually during the period January 1 through December 31.

(e) Captive reared mallards shot for dog training shall only be taken with nontoxic shot.

Section 149. Furbearers. Live furbearers shall only be imported, possessed, confined, transported, or disposed of in accordance with this regulation and the provisions listed in this section.

(a) Live furbearers may be captured in the State under terms of Wyoming Statute §23-2-305 for propagation only during open seasons for the trapping of furbearing animals as specified in the Commission Regulation, Chapter 4, Furbearing Animal Hunting or Trapping Seasons.

(b) Persons licensed to capture furbearers for the purpose of propagation shall be governed by the Commission Regulation, Chapter 4, Furbearing Animal Hunting or Trapping Seasons, except that furbearers do not have to be killed before leaving the trap site.

Section 1210. Game Farm. The single game farm existing on or before January 1, 1975, as referred to in Wyoming Session Laws 1975, ch. 83, s2, shall only conduct operations under a permit issued by the Department and in accordance with this regulation. The NX Bar Game Farm shall have the right to import, possess, confine, transport, sell or dispose of all the privately owned elk now on the premises and their progeny in accordance with this regulation and the provisions listed in this section. The permittee shall be solely responsible for all costs, expenses, and damages suffered as a result of importation and possession of these animals including, but not limited to, quarantine, or total or partial depopulation on account of contagious diseases or parasites; or costs and expenses associated with the capture of or destruction of escaped animals, excluding the salaries and transportation costs of Department employees. Taking of publicly owned elk by the permittee or his agent or failing to notify the Department within twenty-four (24) hours following discovery of publicly owned elk within the holding facilities shall be a violation of Wyoming Statutes and Wyoming Game and Fish Commission Regulations.

(a) Application for Possession Permit. The Department shall issue a possession permit for all privately owned elk and their progeny confined within the game farm at the time this regulation becomes effective. Application for a permit shall be submitted to the Department on a form provided by the Department. The application shall be legible, fully completed, and include all of the following:

(i) The name, complete mailing address, physical address, and telephone number of the person, as defined by Wyoming Statute §23-1-102(a)(viii), making application for a permit;

(ii) The total number of live, privately owned elk possessed at the time of application;

(iii) The purpose(s) for which the elk are possessed;

(iv) A complete description of the holding facility to include, but not limited to, the geographic legal description to the quarter/quarter section, fencing specifications and design, size and construction specifications for enclosures and handling facilities;

(v) A description of the type of tattoo and any other permanent marking to be utilized on privately owned live elk at the time of import and export;

(vi) The application shall be signed, dated, and sworn to before a notary public; and,

(vii) All the information required by this subsection shall be kept current by the holder of this permit and any changes in any information shall be promptly provided by the holder of the permit to the

Department. The NX Bar Game Farm permit shall be issued to the owner of record of the twenty-three thousand (23,000) acres in northeast Sheridan County on which the game farm is presently operated. The permit is attached to the land, consisting of twenty-three thousand (23,000) acres. Any proposed transferee of the land and permit shall file an application to the Department in the form as prescribed by this subsection.

(b) Import Requirements

(i) All elk (Cervus elaphus) shall be tested prior to importation to determine that they are not hybrids following procedures listed in Appendix II of this regulation. Prior to issuance of a permit, the Department shall be provided with test results. Only pure Rocky Mountain elk (Cervus elaphus nelsoni) shall be permitted for importation. All elk shall satisfy health requirements prescribed in Appendix II of this regulation before a permit to import will be issued.

(ii) The permittee shall obtain the appropriate certificate of veterinary inspection and satisfy the requirements of Appendix II prior to importation.

(iii) Privately owned elk imported into Wyoming for the game farm shall be permanently marked with Department approved ear tags and ear tattoos within fourteen (14) days following importation. Department ear tags shall be placed in individual elk by Wyoming Game and Fish Department personnel or the designated agent of the Department. Blood samples from all elk imported into Wyoming shall be taken by Wyoming Game and Fish Department personnel or the designated agent of the Department within fourteen (14) days following importation in order to establish genetic marking of each elk.

(iv) Application for an importation permit shall be submitted to the Department on a form provided by the Department. The application shall be legible, fully completed, and include all of the following:

(A) The name, complete mailing address, street address, and telephone number of the person making application for a permit;

(B) The total number of live, privately owned Rocky Mountain elk to be imported;

(C) The name and address of the supply source(s), or consignor from which the live elk will be obtained;

(D) Description of the type of tattoo and any other permanent marking to be utilized on all elk; and,

(E) The application shall be signed, dated, and sworn to before a notary public.

(c) Export Requirements

(i) Privately owned live elk shall be permanently marked with Department approved ear tags and ear tattoos and have blood samples taken prior to removal of the elk from the holding facility. Ear tags shall be placed on each unmarked elk and blood samples taken from each elk by Wyoming Game and Fish Department personnel or the designated agent of the Department.

(ii) Privately owned live elk shall only be removed from the holding facility after notification to a Department representative and upon receipt of written authorization issued after an on-site inspection of the elk by a Department representative. When elk are sold, traded, or otherwise disposed of, the permittee or his authorized agent shall, at the time of transfer of possession or disposal, give a bill of

sale on a form approved by the Department to the person receiving such elk. The bill of sale shall be signed by the permittee or his authorized agent and it shall show the name and address of the recipient, the date of delivery, sex, age, and approved ear tag numbers and ear tattoo. A copy of each bill of sale shall be submitted to the Department by the permittee or his agent no later than the fifteenth (15th) day of each month for transactions from the previous month. For example: the bills of sale for the period of January 1-31 shall be submitted no later than February 15th. Copies of all bills of sale shall be maintained by the permittee on the premises of the holding facility for the current year and the three (3) previous years.

(d) Taking of Privately Owned Elk

(i) Privately owned elk may be taken from January 1 through December 31.

(ii) Privately owned elk that are killed on the game farm shall only be removed from the holding facility when accompanied by a bill of sale. The bill of sale shall include the date taken, client's name and address, description and sex of the elk taken, including its approved ear tag numbers and ear tattoo if available, and the signature of the permittee or his authorized agent. Copies of all bills of sale shall be maintained by the permittee on the holding facility for the current year and the three (3) previous years.

(iii) A Wyoming Interstate Game Tag and affidavit shall be issued for each elk and parts thereof in accordance with Wyoming Statutes and Wyoming Game and Fish Commission Regulation, Chapter 29, Issuance and Sale of Wyoming Interstate Game Tags.

(e) Record Keeping Requirements

(i) The permittee shall maintain current written records on forms prescribed by the Department. Such forms shall be filled out completely, accurately, and legibly. Original records shall be kept at the holding facility. Data provided on the records shall include dates of purchase, birth, barter, trade or other form of acquisition; date of sale, death or other form of disposition for each elk. The approved ear tag numbers and ear tattoo if available for each elk shall be recorded along with that animal's sex and age. Dates and types of disease testing and vaccination records for each elk shall be recorded on the form. All records of each elk shall be retained on the holding facility for the period of ownership of the elk and for three (3) years after the year of disposition of the elk.

(ii) Written records shall be submitted to the Department by the permittee or his agent no later than the fifteenth (15th) day of each month for transactions from the previous month. For example: the records for the period of January 1-31 shall be submitted no later than February 15th. The records shall include the approved ear tag numbers and ear tattoo, if available, for each elk, that animal's sex and age, dates of purchase, birth, barter, trade, or other form of acquisition; date of sale, death, or other form of disposition for each elk, and dates and types of disease testing and vaccination records for each elk.

(f) Inspection of Records, Holding Facilities, and Wildlife. The game farm shall allow inspection of records, holding facility(ies), and permitted wildlife by Department personnel.

(g) Fence Maintenance. The game farm shall maintain its holding facilities in such a manner as to prohibit escapes of privately owned elk and to prohibit publicly owned elk from entering the facility.

Section 1311. Fish. Live fish, fertilized eggs, or gametes legally imported, acquired, possessed, transported, or confined pursuant to this regulation may be taken, transported or sold as provided under Wyoming Statutes relating to private fish hatcheries, private fishing preserves, live bait dealers, and landowner fishing lakes and ponds. ~~(Refer to Commission Regulations, Chapter 46, Fishing Regulations, Chapter 49, Regulation Governing Private Fish Stocking, Chapter 50, Regulation Governing Fishing Preserves, Chapter 51, Regulation Governing Private Fish Hatcheries, Chapter 53, Regulations Governing Landowner Fishing Lakes or Ponds and Chapter 62, Regulation for Aquatic Invasive Species.)~~

Section 12. Permit Application Denial Review Process. The following permit denial review process shall be used when considering a Chapter 10 permit application that has been denied:

(a) When an application for a Chapter 10 permit has been denied, the Department Permitting Officer shall send a certified, registered letter with return receipt to the applicant indicating the permit application has been denied and the reasons for the denial.

(b) The applicant may appeal a permit denial by submitting a written request to the Department Permit Review Board (Board) for reconsideration within thirty (30) consecutive days from the date of receipt of their denial letter. If an applicant fails to request an appeal within thirty (30) consecutive days from the date they received the Department's decision letter, the applicant shall waive their ability to make any future appeal request regarding the denied permit application.

(i) The Board shall consist of the Chief of the Wildlife Division (or his designee), Chief of the Fish Division (or his designee), Supervisor of Biological Services, an appointed regional wildlife or fisheries supervisor (not affiliated with the original permit application) and an appointed senior game warden with commercial operations responsibility or regional fisheries biologist (not affiliated with the original permit application).

(ii) The Board shall review the Department's decision to deny the permit and may consider any additional information provided by the applicant.

(iii) The Board shall either uphold the Department's decision to deny the permit or approve the permit application. The Board's decision shall be sent to the applicant as a certified, registered letter with return receipt within fifteen (15) consecutive days of the Board receiving the applicant's written request for appeal.

(c) The applicant may appeal the decision of the Board to deny a permit by submitting a written request to the Director of the Wyoming Game and Fish Department for consideration. This request shall be received by the Director no later than thirty (30) consecutive days after the applicant receives the Board's decision letter. If an applicant fails to request an appeal within thirty (30) consecutive days from the date they received the Board's decision letter, the applicant shall waive their ability to make any future appeal request regarding the denied permit application.

(i) The Director, or his designee, shall conduct a review of the Department's and the Board's decision, and may consider any additional information provided by the applicant.

(ii) The Director shall either uphold the earlier denials of the permit or approve the permit application. The Director's decision shall be sent to the applicant as a certified, registered letter with return receipt within fifteen (15) consecutive days of the applicant's written request to the Director for appeal.

(d) An applicant may appeal a decision by the Director to deny a permit to the Commission within thirty (30) consecutive days after the applicant receives the Director's decision letter. If an applicant fails to request an appeal within thirty (30) consecutive days from the date they received the Director's decision letter, the applicant shall waive their ability to make any future appeal request regarding the denied permit application.

(i) The Commission shall hold a contested case hearing under Commission Regulation Chapter 27, Rules of Practice Governing Contested Cases Before the Wyoming Game and Fish Commission to review the Director's decision specific to the permit application and appeals.

(ii) The Commission shall either uphold the earlier denials of the permit or approve the permit application. The Commission shall provide its final decision on the matter to the applicant at their next regularly scheduled Commission meeting.

(e) An applicant may appeal a permit denial decision of the Commission by filing with the appropriate Wyoming District Court.

Section ~~14~~13. Revocation of Permit.

(a) The Department may revoke any permit issued under the authority of this regulation and may dispose of any live wildlife imported, possessed, confined, or transported for failing to comply with these regulations or with conditions placed on the permit at the time of issuance or when the Department has determined that permitted wildlife poses a threat to Wyoming's wildlife as specified in Section ~~64~~64 (b)(viii) of this regulation. The Department may revoke any permit if the applicant or an authorized agent of the applicant falsified information on the permit application or on the certificate of veterinary inspection, or falsified or failed to keep or submit records as required by this regulation. If the Department revokes a permit, disposition of live wildlife shall be in accordance with Section ~~47~~15 of this regulation. This section does not apply to the game farm.

(b) A permittee dissatisfied with the Department's decision to revoke a permit may request a hearing before the Wyoming Game and Fish Commission. A request for hearing shall be made in writing to the Chief of the Wildlife Division within ten (10) business days after receipt of the notice from the Department revoking the permit. The hearing shall be conducted in accordance with Commission Regulation Chapter 27, Rules of Practice Governing Contested Cases before the Wyoming Game and Fish Commission.

~~Section 15. Term of Permit.~~ Permits issued pursuant to this regulation shall include the date of expiration.

Section ~~16~~14. Permit Renewal. Any person possessing live wildlife held under a permit issued pursuant to this regulation shall make application for a new permit to the Department no later than ninety (90) days prior to the expiration of the existing permit. When an application for renewal is received, the Department may evaluate the existing holding facility to determine if it is adequate to contain the number and type of wildlife for which applied, the purpose(s) for which wildlife shall be held, and to adequately protect Wyoming's wildlife resources. Applications for renewal shall be treated as original applications in accordance with procedures set forth in this regulation. The Department shall renew the permit for the game farm in accordance with Section 12.

Section ~~17~~15. Disposition of Live Wildlife if Permit Expires. Should a permit expire or be revoked, all formerly permitted live wildlife in possession shall be disposed of by the permittee within seven (7) days or a longer time period agreed to by the Department after expiration or revocation of the permit. No formerly permitted live wildlife shall be abandoned, released, or removed from the holding facility without prior written permission of the Department. All formerly permitted live wildlife remaining at the holding facility seven (7) days after expiration or revocation of the permit may be taken by the Department without compensation to the permittee.

Section ~~18~~16. Disposition of Live Wildlife Upon Death of Permittee. Upon the death of a permittee, all permitted wildlife shall become property of the permittee's personal representative. The personal representative shall be required to apply for a permit to possess live wildlife within thirty (30) days of the death of the permit holder. All formerly permitted live wildlife remaining at the holding facility forty-five (45) days after death of the permittee may be taken by the Department without compensation unless the permittee's personal representative obtains a permit to possess the wildlife.

Section 1917. Wildlife Health Requirements. All persons importing wildlife that require a certificate of veterinary inspection under this regulation shall comply with provisions of Appendix I or II prior to importation. Wildlife shall not be diverted from the destination stated on the permit and on the certificate of veterinary inspection without prior approval of the Wyoming Game and Fish Department. Wildlife entering Wyoming in violation of this regulation or without a proper certificate of veterinary inspection may be held in quarantine at owner's risk and expense and, further, owner or owner's agent shall not allow said wildlife to be moved, turned loose or to escape, but shall be held subject to the order of the Wyoming Game and Fish Department. All persons importing game birds under terms of Wyoming Statute §23-5-102 and Wyoming Game and Fish Commission Regulations, ~~Chapter 40, Regulation Governing Commercial Game Bird Farms~~; fish under terms of Wyoming Statutes §23-2-208, §23-4-101, §23-4-102, §23-4-103, §23-5-202, §23-5-203, §23-5-204 and Wyoming Game and Fish Commission Regulations, ~~Chapter 46, Fishing Regulations, Chapter 49, Regulation Governing Private Fish Stocking, Chapter 50, Regulation Governing Fishing Preserves, Chapter 51, Regulation Governing Private Fish Hatcheries and Chapter 53, Regulations Governing Landowner Fishing Lakes or Ponds~~ shall comply with the certificate of veterinary inspection requirements and provisions of Appendix I or II of this regulation.

~~**Section 20. Violation of Commission Regulations.** Failure to abide by the provisions of this regulation shall be punishable as provided by Wyoming Statutes for violations of Commission regulations.~~

Section 2418. Illegal Entry from Another Jurisdiction. Any live wildlife illegally taken, possessed, imported, confined, or transported from another jurisdiction shall be considered illegal in the State of Wyoming.

~~**Section 22. Savings Clause.** If any provision of these regulations is held to be illegal or unconstitutional, such a ruling shall not affect other provisions of this regulation which can be given effect without the illegal or unconstitutional provision; and, to this end, the provisions of this regulation are severable.~~

Section 2319. Taxonomic References. For the purposes of this regulation, the following taxonomic references have been utilized to establish scientific names and taxonomic grouping (i.e., subfamilies) for wildlife.

(a) Amphibians and Reptiles:

Crother, B. I. (ed.). ~~2008~~**2012**. Scientific and Standard English Names of Amphibians and Reptiles of North America North of Mexico, pp. 1-84 **With Comments Regarding Confidence in Our Understanding**. SSAR Herpetological Circular ~~37~~**39:1-92**.

(b) Birds:

Sibley, C.G. and B.L. Monroe, Jr. 1990. Distribution and taxonomy of birds of the world. Yale University Press, New Haven, 1111 pp.

Sibley, C.G. and B.L. Monroe, Jr. 1993. A Supplement to distribution and taxonomy of birds of the world. Yale University Press, New Haven, CT 108 pp.

(c) Crustaceans:

McLaughlin, P.A., et al. 2005. Common and scientific names of aquatic invertebrates from the United States and Canada: crustaceans. American Fisheries Society, Special Publication 31, Bethesda, MD. 545 pp.

(d) Fish:

~~Nelson, J. S., Crossman, E. J., Espinosa Pérez, H., Findley, L. T., Gilbert, C. R., R. N., and, Williams, J. D. 2004. Common and scientific names of fishes from the United States, Canada and Mexico: 6th Edition. American Society, Special Publication 29, Bethesda, MD. 386 pp.~~
Lawrence M. Page, Héctor Espinosa-Pérez, Lloyd T. Findley, Carter R. Gilbert, Robert N. Lea, Nicholas E. Mandrak, Richard L. Mayden, and Joseph S. Nelson. 2013. Common and scientific names of fishes from the United States, Canada and Mexico: 7th Edition. American Fisheries Society, Special Publication 34, Bethesda, MD. 243 pp.

(e) Mammal Species, Families and Subfamilies:

Wilson, D.E. and D.M. Reeder (eds) 1993. Mammal species of the world: a taxonomic and geographic reference. 2nd ed. Smithsonian Institution Press, Washington D.C. 1206 pp.

(f) Mollusks:

Turgeon, D. D., et al. 1998. Common and scientific names of aquatic invertebrates from the United States and Canada: mollusks. 2nd Edition. American Fisheries Society, Special Publication 26, Bethesda, MD. 526 pp.

(g) Animal Health:

“Suggested Procedures for the Detection and Identification of Certain Finfish and Shellfish Pathogens” (Bluebook). American Fisheries Society Publication.
(http://www.fisheries.org/units/fhs/BlueBook_access.php)

(h) Subspecies of Elk:

Bryant, L.D. and C. Maser. 1982. Classification and distribution. Pages 1-59 in J.W. Thomas and D.E. Towell (editors). Elk of North America: Ecology and Management. Stackpole Books, Harrisburg, PA. 698pp.

WYOMING GAME AND FISH COMMISSION

By: _____
~~Ed Mignery~~Mike Healy, President

Dated: ~~November 17, 2010~~January 22, 2014

APPENDIX I
COLD BLOODED WILDLIFE
INSPECTION PROCEDURES

Section 1. General Requirements. A certificate of veterinary inspection is currently required only for all salmonid fishes (trout, salmon, grayling, whitefish), and for northern pike and carp originating from outside North America. Fish health inspections shall be conducted by approved inspecting agents. All inspections shall be conducted in accordance with the accepted guidelines in the latest edition of the "Suggested Procedures for the Detection and Identification of Certain Finfish and Shellfish Pathogens" (Bluebook) published by the Fish Health Section of the American Fisheries Society or supplement to this Appendix. Generally accepted new or alternative procedures may be used for the detection and diagnosis of listed or unlisted pathogens if such procedures are approved by the Technical Procedures Committee of the Fish Health Section/American Fisheries Society.

Permits to import cold blooded wildlife, or letters of authorization relating to private fish stocking, private fish hatcheries, private fishing preserves, live bait dealers, or landowner fishing lakes and ponds may be conditioned on inspection of other species or for other pathogens not listed in this appendix when it is determined by the Department through review of documented cases that importation or transportation of said species or pathogens pose significant health risks to Wyoming's wildlife.

No cold-blooded wildlife showing clinical signs or suspected clinical signs (lethargic behavior, abnormal mortality, lesions, etc.) of disease shall be imported. Suspected disease in any captive cold blooded wildlife shall be reported to the Department immediately.

Section 2. Required Inspections. All appropriate inspections shall be completed by an inspecting agent and reported on a form approved by the Department before anyone shall import, transport or possess live fish, fertilized eggs or live fish gametes in Wyoming. An approved laboratory technician is authorized only for compliance collection of non-lethal samples (ovarian or seminal fluids) for a brood stock fish health inspection after the initial lethal and non-lethal sampling has been conducted by either an aquatic animal health inspector or fish pathologist. On the basis of these inspections the Department may authorize fish importation, possession, transportation and stocking.

A copy of a current fish health inspection report form shall accompany each shipment of live salmonid fish, fertilized eggs or gametes scheduled for importation into Wyoming, and shall also be on file with the Department a minimum of seven (7) working days prior to importation. This form shall include appropriate inspection data for all lots of fish present at the shipping aquaculture facility. If any lot(s) of fish present at the shipping aquaculture facility originated from a brood stock not located at the shipping aquaculture facility, a current inspection report for that brood stock source shall also accompany each shipment and shall also be submitted to the Department as stated above. Under special circumstances, the Department may make exceptions on a case-by-case basis. Any exception shall be based upon a formal written proposal submitted to the Department by the entity requesting the exception. Exceptions shall be granted only if the probability of introducing a prohibited or notifiable pathogen is virtually impossible under the proposed conditions and handling. Any exceptions shall be written matters of record, including rationale.

(a) Species of Concern.

(i) A certificate of veterinary inspection (fish health inspection report) shall be required for all salmonid fishes, fertilized eggs and gametes; and for northern pike and carp originating from outside North America.

(ii) Other species not belonging to the family Salmonidae, that are present at a facility which rears salmonid fishes, may be subject to sampling if deemed necessary by the Department. A current

disease free salmonid fish health inspection shall accompany any non-salmonid fish transported from a facility rearing salmonid species.

(b) Pathogens of Concern. The fish health inspection report shall include a report on the occurrence of the following pathogens:

(i) Prohibited Pathogens

Ceratomyxosis of Salmonids - Ceratomyxa shasta
Infectious Hematopoietic Necrosis - IHN virus
Infectious Pancreatic Necrosis of Salmonids -IPN virus
Proliferative Kidney Disease (PKD)
Rhabdovirus Disease of Northern Pike Fry - PFR
Spring Viremia of Carp - Rhabdovirus carpio
Viral Hemorrhagic Septicemia of Salmonids - VHS virus
Herpesvirus salmonis Type 2

(ii) Notifiable Pathogens

Bacterial Kidney Disease - Renibacterium salmoninarum
Enteric Redmouth - Yersinia ruckeri
Furunculosis - Aeromonas salmonicida
Whirling Disease of Salmonids - Myxobolus cerebralis

(iii) Reportable Pathogens

Any diseases/pathogens not listed but which are known to be present or are detected during inspections shall be reported to the Wyoming Game and Fish Department.

The above classification and list of pathogens may be amended by Commission action as more knowledge becomes available.

Inspecting agents are encouraged to perform routine fish health surveillance (monitoring) in the absence of required inspections. In addition, general health history of aquaculture facilities shall be made available, on request, to all fish and fish egg transfer recipients.

(c) Frequency of Inspections

(i) Annual fish health inspections performed by an inspecting agent shall be mandatory for any in-state facility that cultures, holds, sells, or stocks live fish, fertilized eggs or gametes.

(ii) The Department shall establish schedules for disease inspection of all state facilities and wild brood stock populations, and all in-state private facilities; see that inspections are conducted; and see that results are reported to all appropriate individuals.

(iii) State of Wyoming inspecting agents shall be responsible for inspecting state fish culture facilities; wild, free-ranging brood stocks, and in-state private hatcheries and aquaculture units.

(iv) A formal request by the owner shall be required before an inspecting agent conducts an inspection of any in-state private hatchery or aquaculture unit. A completed departmental application shall be submitted to the Department to request this inspection. The applicant for inspection is legally accountable for completeness and accuracy of information supplied in the application and to the inspecting agents.

(v) Fish health inspections within the past twelve (12) months shall be required prior to importation of species listed in this appendix. Inspection reports shall be received by the Department prior to authorizing or permitting importation or sale.

(vi) The Department may require additional fish health inspections in response to fish health concerns.

(vii) Any person importing, possessing or transporting live fish, fertilized eggs or live fish gametes in Wyoming shall allow immediate inspection upon request of Department personnel. The Department shall have the right to inspect and collect samples (including lethal samples) for disease testing, species identification or other purposes to protect Wyoming's fisheries resource.

(d) Sample Procedures

(i) Determining Sample Size

The minimum sample size for each lot of fish shall be in accordance with a plan which provides at least 95% confidence of detecting a pathogen (see table below). Attribute sampling shall be based upon the assumption of a pathogen's prevalence in facilities (hatcheries) or free-ranging (wild) populations as follows:

Population of Lot Size	Assumed Prevalence of Pathogens	
	2%	5%
Size of Sample Required		
50	50	35
100	75	45
250	110	50
500	130	55
1,000	140	55
2,000	145	60
10,000	145	60
100,000 or greater	150	60

(ii) Production Fish

Viral-sample all lots, including brood stock lots, at the 5% (or lower) level of assumed prevalence of listed pathogens. This pertains to lethal sampling of both hatchery and wild populations.

When sampling for detection of bacterial kidney disease, enteric redmouth and furunculosis, the minimum sampling shall be sixty (60) fish from each water supply at each facility.

When sampling for detection of Salmonid Whirling Disease, the minimum sample shall be 60 fish (heads, including gill arches) of each representative lot at an accumulative minimum of 1,800 CTU (CTU=sum of the average daily water temperature in degrees Celsius) exposure at the time of inspection for each water source, and 900 CTU for an individual lot certification. Any fish lot sampled must be on the same water source for a minimum of 900 CTU. Also, the representative water source sample shall be biased toward fish species most susceptible to whirling disease (susceptibility in approximate decreasing order: rainbow, golden, brown, brook, cutthroat, and kokanee salmon). Additional samples, independent of water source assessments, may be required of individual lots if rearing conditions (e.g. dirt ponds) are conducive to enabling the parasite life cycle.

(iii) Brood stocks

Sample all brood stock lots at the 5% (or lower) level of assumed prevalence of listed pathogens annually (if adequate numbers of brood stock fish are available). This pertains to non-lethal sampling (collection of ovarian and seminal fluids). Ovarian fluid samples must account for the majority (60 samples or greater) of the collective reproductive product.

(A) Unless defined below as brood stock development for genetic sources, Section II(d)(iv), establishment of a disease free brood stock will require three consecutive annual fish health inspections prior to the clearance and use of these gametes for the development of a confined fish population. Fish health inspections will include sampling all age classes of the brood stock population held at the facility. A complete disease free fish health inspection of the brood stock population must be completed on the third year prior to use of gametes.

(iv) Genetic Sources

Development of brood stocks or infusion of new genes into existing brood stocks may result in situations which do not lend themselves to standard fish health inspection procedures as described elsewhere in this regulation. In order to facilitate development and maintenance of genetic sources, the following procedures shall be used to meet brood stock needs and ensure that brood stocks and receiving facilities remain free of serious fish pathogens:

(A) When sufficient numbers of fish are available, and there are no biological or sociological problems associated with sacrificing the prescribed numbers of fish, then the standard sampling procedures described in this regulation shall be followed.

(B) When dealing with small domestic brood stocks or exceptionally long-lived brood stocks (e.g. lake trout) with a current disease free inspection and no infusion of new fish or fish eggs, progeny from the brood stock shall be used for lethal samples at the prescribed number to meet inspection requirements provided the progeny are held in the same water supply in (or downstream from) the same rearing space for a minimum of four (4) months prior to inspection.

(C) When population numbers of wild fish are limited or it is not feasible to capture adequate numbers of fish to meet prescribed inspection sample size, then one of the following procedures shall be used under Department authorization:

(aa) When wild fish are too rare to sacrifice the following shall occur: 1) From the fish available, collect and hold ovarian and seminal fluids, and if available fecal material in separate containers; 2) Disinfect fertilized eggs in 100 mg/l active iodine for 10-15 minutes at collection site or at an isolation facility; 3) Incubate and hatch eggs under quarantine (isolation facility) conditions; 4) Raise fish at an isolation facility to a size of 2 inches in length; 5) Conduct lethal sampling on these fish at the 2% assumed prevalence level (150 fish) for a complete fish health inspection; 6) If these samples are found to be disease free, this lot of fish can then be considered disease-free for brood stock recruitment; 7) If serious fish pathogens are found in the parent fish, the eggs or fish shall be destroyed and the isolation facilities disinfected.

(bb) When wild parent fish can be sacrificed or when dealing with cryopreservation or extension of sperm for use in infusing new genes into existing brood stocks, the following shall occur: 1) Collect samples, disinfect eggs, and incubate eggs as above, (a)(1-3); 2) Conduct 100% lethal sampling on parent fish (for kidney, spleen, etc.); 3) If parent fish are found to be disease-free, the eggs and resulting fish can be considered disease-free; 4) If serious fish pathogens are found in the parent fish, the eggs or fish shall be destroyed and the isolation facilities disinfected.

Section 3. Prohibited Pathogens: Courses of Action.

(a) Fish, fertilized egg, or gamete sources outside Wyoming with occurrence of prohibited pathogens shall not be permitted to import or stock fish, fertilized eggs, or gametes into the State of Wyoming until appropriate disinfection or depopulation procedures have been conducted and until any and all remaining fish lots have been subsequently inspected twice within a six (6) month period at least one (1) month apart by an inspecting agent and found to be free of prohibited pathogens.

(b) Upon confirmation of the finding of a prohibited pathogen in any facility within Wyoming, steps shall be taken by the Department and other appropriate officials, as necessary, to immediately have all lots of fish and eggs at the facility incinerated or buried (deep burial utilizing lime). Complete chemical disinfection of said facility shall then be immediately planned and executed to minimize the risk of establishment or spread of the pathogen. Two consecutive inspections shall be conducted by an inspecting agent within a six (6) month period to determine that there is no occurrence of the prohibited pathogen prior to stocking any fish, fertilized eggs, or gametes.

(c) If at any time an inspecting agent finds, suspects or becomes aware of the presence of one or more pathogens listed as prohibited at any site within Wyoming, the agent shall immediately contact the Chief of Fisheries. The inspecting agent shall, within five (5) days, initiate action to confirm presence or absence of the pathogen. If positive identification is made, the agent shall immediately notify the Chief of Fisheries who shall initiate Reasonable Action as defined in this regulation. All incidents of fish disease shall be treated in accordance with actions specified in this regulation.

Section 4. Notifiable Pathogens: Courses of Action.

(a) Upon confirmation of the finding of a notifiable pathogen in any facility which raises, imports or transports fish or fish gametes in or into Wyoming, the inspecting agent and owner of the facility shall immediately notify the Department.

(b) Infected lots, if not destroyed, shall be quarantined and treated with the best available technology to eradicate the pathogen. Each lot within the entire facility shall be inspected twice within a six (6) month period at least one (1) month apart to determine that no notifiable pathogens remain prior to authorization to resume normal operations. Stocking of infected fish into the waters of Wyoming shall be prohibited.

(c) During this interval, no fish shall be transferred to another facility. Non-infected lots may be stocked, with written permission by the Department, only into waters that would pose no threat to naturally reproducing fish populations (i.e. isolated "stock ponds" with no outlet or effluent). The course of action to solve the fish health problems shall be prescribed in writing by the Department.

(d) If at any time an inspecting agent finds, suspects or becomes aware of the presence of a notifiable pathogen at any site within Wyoming, the agent shall immediately contact the Chief of Fisheries. The inspecting agent shall, within five (5) days, initiate action to confirm presence or absence of the pathogen. If positive identification is made, the agent shall immediately notify the Chief of Fisheries who shall initiate Reasonable Action as defined in this regulation. All incidents of fish disease shall be treated in accordance with actions specified in this regulation.

(e) Contingent on approval by the Chief of Fisheries, fertilized or eyed eggs may be shipped from facilities or brood stock sources infected with Enteric Redmouth (*Yersinia ruckeri*) or Furunculosis (*Aeromonas salmonicida*) if eggs are disinfected prior to shipment and again upon receipt with 100 mg/l active iodine for 10-15 minutes.

Section 5. Reportable Pathogens: Courses of Action. Reportable pathogens include all other organisms known to cause disease in fish but inspection is not required. However, any pathogen found incidental to inspection shall be reported.

APPENDIX I

SUPPLEMENT - Number 1

TITLE: Inspection procedure required for detection of organisms inducing Proliferative Kidney Disease (PKD)

INTRODUCTION: Proliferative Kidney Disease (PKD) is included as a prohibited disease.

Clinical signs include:

- 1) dark body color;
- 2) abdominal distention;
- 3) pale gills;
- 4) pronounced lateral body swelling;
- 5) bilateral exophthalmia;
- 6) swollen kidneys;
- 7) enlarged spleen;
- 8) grayish discoloration of kidneys; and
- 9) folded or corrugated appearing kidneys.

Fishes being transported into Wyoming from PKD/PKX occurring sources or areas in California, Oregon, Washington, Idaho, Montana, British Columbia (or any other areas where occurrence becomes documented) shall be inspected and found free of PKD and the PKX pathogen by appropriate source inspection.

Inspecting agents performing inspections or routine diagnostic evaluations of fishes within Wyoming or inspections on fishes outside Wyoming and outside of the area listed in the above paragraph shall perform PKD/PKX testing on any fish which exhibit clinical signs of PKD.

APPENDIX I

SUPPLEMENT - Number 2

TITLE: Inspection requirements regarding Ceratomyxa shasta

INTRODUCTION: Ceratomyxosis of Salmonids, caused by Ceratomyxa shasta considered a prohibited disease. However, since this disease has occurred only within a relatively well-defined geographic area, inspection for the causative agent is not required for fishes residing within Wyoming or for transport into Wyoming from areas outside the geographic areas listed below. Inspection shall be required for C. shasta for transports into Wyoming from any source within the areas listed below.

EPIZOOTIC FOCUS ZONE, Ceratomyxa shasta:

1. All portions of the states of Washington, Oregon, and Idaho.
2. That portion of the State of California north of a line drawn due east from the southern tip of the San Francisco Bay.
3. That portion of the Canadian Province of British Columbia south of a line drawn due east from the northernmost tip of Vancouver Island.

APPENDIX I

SUPPLEMENT - Number 3

TITLE: Special inspection requirements regarding Rhabdovirus Disease of Northern Pike Fry (PFR)

INTRODUCTION: Rhabdovirus Disease of Northern Pike Fry caused by the agent known as Pike Fry Rhabdovirus (PFR) is in the Prohibited Disease/Pathogen category.

Inspection procedures for this disease and the agent causing it are included in the Inspection Regimen listed below. However, since this disease is currently known to occur only in Europe, inspection for this disease/pathogen shall only be required for importations of Esocids and Percids from Europe. Inspecting Agents shall evaluate inspections completed by European fish health specialists.

Clinical signs include:

- 1) loss of equilibrium;
- 2) pale gills;
- 3) exophthalmia;
- 4) hydrocephalus;
- 5) redness and swelling above pelvic fins; and
- 6) petechiae of spinal cord, spleen, pancreas, and hematopoietic tissues of kidneys.

INSPECTION REGIMEN:

1. Assume no greater than 5% carrier prevalence and sample for 95% confidence in each lot.
2. Sample processing:
 - a) Use standard inoculum preparation procedures employing whole fry, viscera, or kidney/spleen samples.
 - b) Employ RTG-2, FHM, or other cell lines demonstrated to be sensitive to PFR.
 - c) Incubate primary inoculation assays for fourteen (14) days in the temperature range of 15C to 24C.
3. Virus identification:
 - a) Positively identify PFR with serological procedures, if available.
 - b) Presumptively identify PFR by characterization of CPE and inability of other antiseras to neutralize infectivity (if specific PFR antiserum is not available).

APPENDIX I

SUPPLEMENT - Number 4

TITLE: Special inspection requirements regarding Spring Viremia of Carp (SVC, Rhabdovirus carpio)

INTRODUCTION: Spring Viremia of Carp, caused by the agent Rhabdovirus carpio, is in the Prohibited Disease/Pathogen category.

Inspection procedures for this disease and the agent causing it are included in the Inspection Regimen listed below. However, since this disease is currently not known to occur in North America, inspection for this disease/pathogen is only required for importation of non-salmonid fishes from outside of North America. Inspecting agents shall evaluate inspections completed by source located fish health specialists.

Clinical signs include:

- 1) dark body color;
- 2) loss of equilibrium;
- 3) exophthalmia;
- 4) abdominal distention;
- 5) inflamed and edematous vent;
- 6) peritonitis;
- 7) ascites;
- 8) catarrhal enteritis; and
- 9) petechiae in heart, liver, kidneys, intestines, internal wall of swimbladder and skeletal muscle.

INSPECTION REGIMEN:

1. Assume no greater than 5% carrier prevalence and sample for 95% confidence.
2. Sample processing:
 - a) Use standard inoculum preparation procedures employing whole fry, viscera, or kidney/spleen/liver samples.
 - b) Employ FHM, EPC, RTG-2, BB, GHK-21, chick embryo fibroblasts or other cell lines demonstrated to be sensitive to Rhabdovirus carpio.
 - c) Incubate primary inoculation assays for seven (7) days in 20°-22°C temperature range.
3. Virus identification:
 - a) Positively identify serologically, if possible.
 - b) Presumptively identify by characterization of CPE and inability of other antisera to neutralize infectivity (if specific antiserum is not available).

APPENDIX I

SUPPLEMENT - Number 5

TITLE: Herpesvirus salmonis Type 2

INTRODUCTION: Herpesvirus disease of salmonids, Herpesvirus salmonis Type 2, previously the oncogenic viruses Oncorhynchus masou virus (OMV) and H-83, yamame tumor virus (YTV), coho salmon tumor viruses (CSTV, OKV, COTV, CSLV) and the nononcogenic Nerka virus from Towda Lake, Akita and Amori Prefecture (neVTA). Herpesvirus salmonis Type 2 causes mortality in salmon fry and induces tumors in survivors. Experimental infections have been demonstrated in rainbow trout and chum salmon, kokanee, and coho salmon.

KNOWN GEOGRAPHIC RANGE: Japan.

INSPECTION REQUIREMENT: Inspection for Herpesvirus salmonis Type 2 shall be required only if the fish/gametes originate from Japan.

Clinical signs include:

- 1) First isolated in ovarian fluids of masou salmon with no abnormal external signs;
- 2) Pathogenic to fry;
- 3) Fish older than two-hundred forty (240) days appear to be resistant;
- 4) Affected fish are lethargic or show erratic swimming behavior, anorexic, display exophthalmia and petechiation of the body surface, particularly under the jaw; and
- 5) Tumors may occur in the mouth, head and fin regions of surviving fish beginning one-hundred thirty (130) days post-infection.

DIAGNOSIS:

1. Typical CPE in susceptible cell cultures (RTG2 and CHSE-214) at 15°C: massive syncytium and formation of multinucleate giant cells.
2. Histopathology: kidney of one (1) month old salmon show typical syncytium formation with accompanying necrosis of hematopoietic tissue; epidermal cells of the mouth, jaw, operculum or skeletal tissues may show necrosis and numerous granules; atrophy and necrosis of the liver may occur; necrosis of the pancreas and spleen may be observed in moribund specimens.
3. Confirmatory diagnosis: neutralization with specific anti-OMV, YTV, or CSTV serum.

DETECTING SUBCLINICAL INFECTIONS:

1. The presence of tumors with serum anti-OMV titers is indicative of prior exposure to OMV.

TRANSPORTATION AND STORAGE OF SAMPLES:

1. Samples shall be frozen for not more than seven (7) days.
2. Ideally, samples shall be transported on ice and processed within twenty-four (24) hours.

APPENDIX II
WARM BLOODED WILDLIFE
INSPECTION PROCEDURES

Section 1. General Requirements. Live wildlife of any species, game bird, or hatching eggs, that is affected with or that has recently been exposed to any infectious, contagious or communicable disease or the following parasites: meningeal worm (Paraelaphostrongylus tenuis), tissue worm (Elaphostrongylus cervi), or large American liver fluke (Fascioloides magna); or that originates from a quarantined area, shall not be imported or in any manner transported into or through the State of Wyoming. All shipments shall comply with Federal regulations.

Section 2. Certificate of Veterinary Inspection. A certificate of veterinary inspection shall be required for all wildlife imported under provisions of this regulation, unless otherwise exempt by this regulation.

A copy of the certificate of veterinary inspection shall be forwarded immediately to the animal health official of the state of origin for approval and transmittal to the Wyoming State Veterinarian and Wyoming Game and Fish Department. The copy that accompanies the shipment need not be approved by officials of the state of origin prior to movement.

A certificate of veterinary inspection shall be valid for ten (10) days following date of inspection and issuance. All certificates of veterinary inspection shall be issued to comply in all respects with requirements of the State of Wyoming, unless otherwise specifically authorized in writing by the Wyoming Game and Fish Department.

Accredited, licensed veterinarians who are approved by the animal health official of the state of origin, and veterinarians in the employ of the Animal and Plant Health Inspection Service, United States Department of Agriculture, may inspect.

If a permit is required, the permit number shall appear on the certificate of veterinary inspection.

Section 3. Disease/Parasite Testing Requirements.

(a) Brucellosis

For the purpose of animal identification and recording of brucellosis test results, the official United States Department of Agriculture metal ear tag shall be the only acceptable form of identification. Except, animals bearing official ear tags of other countries need not be retagged.

(i) Brucella abortus

Serum testing shall be conducted on all ruminants. Tests shall be done within thirty (30) days prior to import and the serum samples shall be tested at a United States Department of Agriculture (USDA) approved laboratory. A battery of at least four (4) types of tests shall be required which shall include the standard plate test and the complement fixation test. Any positive or suspect reaction in a serum test shall be interpreted as indicative of infection and the shipment shall be denied importation until resolved by the Wyoming Game and Fish Department and the Wyoming State Veterinarian. Test data shall be recorded on the certificate of veterinary inspection accompanying the wildlife. Retesting shall be conducted at forty-five to one-hundred twenty (45-120) days if post-entry quarantine is required.

(ii) Brucella suis

(A) Rangiferian brucellosis

All caribou and reindeer shall be tested for Brucella spp. Biovar 4 through a testing protocol equivalent to testing for B. abortus as outlined in Section 3(a)(i).

(B) Swine brucellosis

All wild swine and peccaries shall be tested serologically for B. suis by swine brucellosis tests at a USDA-approved laboratory. Wild swine are defined as an individual animal or as a group of swine, any of which have lived any part of their lives free roaming.

A wild swine population may be classified as a monitored swine population when it (a) can be defined geographically, (b) has no contact with any other swine population or any known infected domestic swine herd, and (c) is under surveillance and tested negative for brucellosis.

A battery of six (6) different types of tests (plate, tube, card, buffered plate, complement fixation, and rivanol) shall be required, and testing shall be done within thirty (30) days prior to importation. No shipment of wild swine with any test positive individual(s) shall be allowed to be imported without prior approval of the Wyoming Game and Fish Department and Wyoming State Veterinarian. Test data shall be provided as part of the official certificate of veterinary inspection accompanying the animal(s). Upon entry, wild swine shall be held under quarantine and retested thirty (30) days to one-hundred twenty (120) days post-entry.

(C) Brucella ovis

All wild sheep and goats shall be serologically tested and found negative to any Brucella species by an ELISA test within thirty (30) days prior to entry. Test results shall be part of the official certificate of veterinary inspection accompanying the wildlife.

(b) Tuberculosis

(i) Cervidae

All Cervidae imported into the state shall be from herds not known to be infected with or exposed to tuberculosis and shall comply with the following testing requirements:

(A) The Commission incorporates into this rule the United States Department of Agriculture Animal and Plant Health Inspection Service Uniform Methods and Rules Bovine Tuberculosis Eradication Methods and Rules Effective January 22, 1999, Part IV—Captive Cervids: Standard Procedures (Minimum Requirements) which is Supplement 1 to Appendix II of this rule. The U.S.D.A. rules can be viewed on the website <http://www.aphis.usda.gov/oa/pubs/bovtbumr/bovtb4.html>. The U.S.D.A. rules do not include any later amendments or editions of the incorporated matter.

(B) Animals moved interstate into Wyoming that originate from herds other than accredited herds shall be retested using an official tuberculosis test at 90-120 days if post-entry quarantine is required.

(C) In all cases of Cervidae investigated for tuberculosis, the herd quarantines and follow-up procedures shall be as prescribed by the Wyoming Game and Fish Department and the Wyoming State Veterinarian and the U. S. Department of Agriculture, Animal and Plant Health Inspection Service Uniform Methods and Rules for Tuberculosis Eradication in Cervidae.

(ii) Other Mammals

All other wild mammals imported into the state shall be from sources not known to be affected with or exposed to tuberculosis and shall comply with the following testing requirements:

(A) Animals shall test negative to a single strength cervical, caudal fold, or palpebral tuberculin test (which ever technique is recognized as most appropriate) within thirty (30) days prior to importation.

(B) Post-entry quarantine and re-testing may be required by the Department.

(iii) Birds

All wild birds imported into the state which require a certificate of veterinary inspection under this regulation shall have a statement included on the certificate that no bird within the flock of origin is known to be infected with or to be exposed to avian tuberculosis.

(c) Chronic Wasting Disease

Any captive cervid imported into Wyoming must originate from facilities certified to be free of chronic wasting disease (CWD) for five (5) years previous to the requested date of importation. For a facility to be certified CWD-free, all cervids over the age of six (6) months that have died at the point of origin, or that have died at facilities within five (5) years of transferring cervids to the point of origin, shall have been necropsied by a veterinary pathologist. Brain stem, particularly in the region of the obex, shall have been analyzed, either by immunohistochemistry, or Western blot, or ELISA for the presence of protease-resistant prion protein (PrPres). Alternatively, retropharyngeal lymph nodes or tonsils can be analyzed by either immunohistochemistry or by federally-approved enzyme-linked immunosorbent assay. A positive reaction on any test is considered diagnostic for the presence of CWD.

(d) Johne's Disease/Paratuberculosis

All wild ruminants imported into the state shall be from herds not known to be affected with or exposed to Johne's disease/paratuberculosis and shall comply with the following requirements:

(i) The certificate of veterinary inspection shall include a statement that no animal on the premise of origin is known to be infected with or to be exposed to *Mycobacterium paratuberculosis*.

(ii) The animals shall test negative on an ELISA test conducted at an approved laboratory within thirty (30) days prior to import.

(e) Elaphostrongylinae parasites: meningeal worm (*Parelaphostrongylus tenuis*) and tissue worm (*Elaphostrongylus cervi*)

All Cervidae and Bovidae, except members of the subfamily Bovinae, imported into the state shall be from herds not known to be infected with or exposed to meningeal worm (*Parelaphostrongylus tenuis*) or tissue worm (*Elaphostrongylus cervi*) and shall comply with the following quarantine and testing requirements:

(i) Cervidae and required Bovidae shall be examined for Elaphostrongylinae infection in the absence of anthelmintic (including ivermectin - Ivomec (registered trademark)) treatments that could mask detection of the parasites.

(ii) Prior to entry all Cervidae and required Bovidae shall be held in pre-entry quarantine for sixty (60) days and two fecal tests for dorsal-spined larvae shall be made by an approved laboratory using the Baermann technique within the quarantine period. The first test shall be conducted at least thirty (30) days and not more than forty (40) days before the second test. During this period, test animals shall be held in quarantine and isolated from all other animals not included in the shipment. Animals tested for import into Wyoming shall be certified by an accredited veterinarian that the animals have not been treated with or exposed to anthelmintics, including ivermectin, during the time period beginning at least thirty (30) days before the first fecal test. The certificate of veterinary inspection accompanying cervids and required bovids imported into Wyoming shall include a statement that "The animals included in this inspection have not been exposed to anthelmintics, including ivermectin, within the past ninety (90) days". Fecal samples of at least 30 grams per sample shall be collected by an accredited veterinarian from the rectum and identified to the animal by the official animal identification number. If any animal tests positive for dorsal spined larvae to either of the two fecal tests, the entire consignment shall not be allowed to be imported.

(iii) Post-entry, animals shall be held for one-hundred eighty (180) days in on-site post-entry quarantine during which time they shall be certified by an accredited veterinarian to have not been treated with or exposed to anthelmintics, including ivermectin (Ivomec). The animals shall be available for inspection by personnel of the Wyoming Game and Fish Department and the Wyoming State Veterinarian during this time. Thirty, 60, 90, 120, 150, and 180 days after importation, fecal samples shall be tested by the Baermann technique in an approved laboratory and found negative for the presence of dorsal-spined larvae. Fecal samples shall be collected from the rectum and identified to each animal by its official identification number by a veterinarian accredited in Wyoming. If any animal tests positive for dorsal spined larvae to any of the fecal tests, the entire consignment shall be destroyed or removed from the State of Wyoming within ten (10) days.

Precautions shall be taken to prevent accidental infection of gastropods with Elaphostrongylinae larvae while animals are held in post-entry quarantine. Precautions should follow, but not be limited to the following procedures:

(A) During the period April 1 through October 31, the post-entry quarantine site shall be prepared prior to entrance of the imported animals to prevent the presence of the gastropod intermediate hosts of Elaphostrongylinae larvae by:

Keeping the animals on a hard surface, such as asphalt or concrete; or

Spraying a four-meter wide tract around the perimeter of the holding compound with a molluscicide and also spraying the molluscicide within the quarantine area. The perimeter track shall be treated once every five (5) days and within twenty-four (24) hours of precipitation (10 mm or more) to ensure the gastropod population shall be kept at zero within the compound.

(B) During the period November 1-March 31, the quarantine site need not be subjected to the site preparation actions if local weather with consistently freezing temperatures is suitable to preclude gastropod activity. However, if the quarantine site is not a hard surface, it shall be harrowed during April to facilitate fecal breakage and exposure of larvae to sunlight. The quarantine facility shall be left vacant from April 1-June 30. A molluscicide shall be sprayed on the quarantine area and on a four-meter wide perimeter tract in the second week of April, the second week of May, and the second week of June. All solid animal waste from the quarantine area shall be disposed of by burning.

(f) Large American Liver Fluke (Fascioloides magna)

All Cervidae to be imported into the state shall be from sources not known to be infected with or exposed to Fascioloides magna and shall comply with the following test requirements:

(i) Two negative fecal tests using sedimentation techniques shall be conducted prior to importation by an approved laboratory. The two tests shall be conducted thirty (30) to forty-five (45) days apart, and the second test shall be conducted within thirty (30) days of importation. Fecal samples shall be collected from the rectum by an accredited veterinarian and identified to the animal by an official identification number.

(ii) Any animal with a positive fecal test shall not be imported.

(g) Ticks, Mites, Lice

All wild birds and mammals to be imported into the State which require a certificate of veterinary inspection shall be examined for ectoparasites by an accredited veterinarian prior to entry.

(h) *Besnoitiosis*

All caribou and reindeer imported shall be visually inspected for skin lesions characteristic of *Besnoitia* sp. infection by an accredited veterinarian prior to importation. Animals from a source with clinically infected animals or a previous history of infection shall not be allowed into Wyoming.

(i) Swine Pseudorabies

All wild swine and peccaries shall be tested serologically for pseudorabies within thirty (30) days prior to entry and shall be held in on-site post-entry quarantine and isolation for retest no sooner than thirty (30) days and no longer than sixty (60) days from date of entry.

No pseudorabies vaccinated wild swine shall be imported into Wyoming without prior written consent of the Wyoming Game and Fish Department and State Veterinarian.

(j) *Chlamydiosis*

A certificate of veterinary inspection completed by an accredited veterinarian within ten (10) days of importation into the state shall be required for all Psittacine birds. Psittacine birds infected with or exposed to chlamydiosis (parrot fever, psittacosis, or ornithosis) shall not be imported into Wyoming.

(k) Disease Testing Requirements Specific to Game Birds

A certificate of veterinary inspection completed by an accredited veterinarian from the state of origin within ten (10) days prior to importation of game birds or game bird eggs into the State shall be required. In addition, a statement signed by the supplier of the game birds shall be submitted to the Wyoming Game and Fish Department, Attention: Permitting Officer, 3030 Energy Lane, Casper, Wyoming 82604 on a form prescribed by the Department attesting that the game birds or game bird eggs and premises of origin are free of infectious, contagious and communicable diseases. Diseases include, but shall not be limited to, Newcastle disease, Salmonella, pullorum, avian cholera, duck viral enteritis, Mycoplasma gallisepticum, and avian influenza. The statement shall also indicate that no game bird within the flock of origin is known to be infected with or to be exposed to avian tuberculosis. Game birds and premises of origin shall have been free of said diseases for at least one (1) year immediately preceding the date of shipment into the State and the premises shall not have experienced an undiagnosed mortality of more than ten percent (10%) of the game birds during the same one (1) year period. Minimum requirements specified

in Chapter VIII, Import Proclamation Pertaining to Livestock, Poultry, Other Animals and Certain Biologics, obtainable from the Wyoming Livestock Board (307-777-7515) shall be met.

Falsification or inaccurate statements by the owner or manager of the supply source of game birds or game bird eggs shall result in denial of future import permits for game birds to be acquired from that supply source.

The Wyoming Game and Fish Commission strongly advises game bird permittees to acquire game birds and eggs from producers who participate in the National Poultry Improvement Program.

All wild birds of the subfamilies Tetraoninae (grouse) and Meleagrididae (wild turkey) shall test negative within thirty (30) days prior to importation for Mycoplasma gallisepticum, M. synoviae, M. meleagridis, and Salmonella pullorum (Pullorum Disease) and S. gallinarum (Fowl Typhoid). Additionally, if the state of origin has documented cases of Newcastle Disease or Avian Influenza in the past two (2) years, wild birds should be tested for these diseases. For groups of grouse to be imported from the same source, in a single shipment, testing shall be required for at least twenty-five percent (25%) (one of every four) of those birds provided that at least twelve (12) grouse are tested (i.e. testing shall be required on twelve (12) grouse or twenty-five percent (25%) of the shipment, whichever number is larger).

(l) Disease/Parasite Testing Requirements Specific to Furbearing Animals

A certificate of veterinary inspection completed by an accredited veterinarian within ten (10) days of importation into the state shall be required for all furbearing animals. In addition, a signed statement on a form, prescribed by the Department, shall be submitted to the Department attesting the furbearing animals and the premise of origin are free of infectious, contagious, or communicable diseases. The statement shall state that the furbearing animals have not been exposed to rabies, nor have they originated from an area under quarantine for rabies. They shall also be free of ectoparasites, including mange mites.

Section 4. Hybridization Testing Requirements. Wyoming Game and Fish Commission Regulations only allow importation into the state pure Rocky Mountain elk (Cervus elaphus nelsoni) in order to prevent hybridization of native wild elk with other members of the genus Cervus.

Elk imported into the state shall comply with the following requirements:

All elk shall be tested prior to importation for evidence of hybridization. Any animal testing positive for hybridization with any other species of Cervid (e.g. Manitoba elk, Roosevelt elk, Tule elk, Sika deer, etc.), or that is known to be a hybrid, shall not be allowed to be imported into Wyoming.

Blood samples for tests for hybridization shall be collected by an accredited veterinarian and identified to the animal by the official animal identification number.

Laboratory tests for hybridization shall only be accepted from laboratories approved by the Wyoming Game and Fish Department. Copies of test results shall be forwarded to the Wyoming Game and Fish Department before approval for importation will be granted.

Supplement 1



Bovine Tuberculosis Eradication Uniform Methods and Rules, Effective January 22, 1999

Part IV—Captive Cervids: Standard Procedures (Minimum Requirements)

A. Classification of captive cervids tested

1. Single cervical tuberculin test

a. Herds of unknown status—All responses shall be recorded and the animals shall be classified as suspects and quarantined for retest with the CCT test or BTB test unless, in the judgment of the testing veterinarian, the reactor classification is indicated.

b. Known infected herds—All responses shall be recorded and the animals shall be classified as reactors.

2. Comparative cervical tuberculin test—All responses are to be measured to the nearest 0.5 mm.

a. Animals having a response to bovine PPD of less than 1 mm should be classified negative.

b. Animals having a response to bovine PPD of 1 through 2 mm, and also equal to or greater than their response to the avian PPD, shall be classified as suspects. Animals having a response to bovine PPD greater than 2 mm but equal to their response to avian PPD shall be classified as suspects, except when, in the judgment of the testing veterinarian, the reactor classification is indicated. Animals meeting the criteria for suspect classification in response to two successive CCT tests shall be classified as reactors.

c. Animals having a response to bovine PPD that is greater than 2 mm and is at least 0.5 mm greater than their avian PPD response shall be classified as reactors.

3. Suspects to the SCT test may be retested by either the CCT or the BTB tests. The CCT may be applied within 10 days following the SCT test injection or after 90 days. If the CCT test is applied within 10 days of the SCT test, the opposite side of the neck shall be used. The sample for the BTB test shall be taken after 12 days and optimally before 30 days after the SCT test injection. Animals positive to the CCT test or the BTB test shall be classified as reactors.

4. Suspects to the SCT test may be necropsied in lieu of retesting by supplemental tests and, if found without evidence of *M. bovis* infection by histopathology (including selected specimens submitted from animals having no gross lesions indicative of tuberculosis) or culture, shall be considered negative for tuberculosis.

B. Interstate or international movement

1. No captive cervid with a response to any tuberculosis test is eligible for international movement.

2. No captive cervid with a response to any tuberculosis test is eligible for interstate movement unless said animal is subsequently classified "negative for tuberculosis" based upon an official tuberculosis test or is consigned directly to slaughter.

3. Captive cervids that originate from accredited herds may be moved interstate without further tuberculosis testing, provided that they are accompanied by a certificate stating that such captive cervids originated from an accredited herd.

4. Captive cervids not known to be affected with or exposed to tuberculosis that originate from qualified herds may be moved interstate if the animals are accompanied by a certificate stating that they originate from a qualified herd and have been classified negative to an official tuberculosis test that was conducted within 90 days prior to the date of movement. If the qualifying test was administered within 90 days of movement, the animal(s) to be moved do not require an additional test.

5. Captive cervids not known to be affected with or exposed to tuberculosis that originate from monitored herds may be moved interstate if they are accompanied by a certificate stating that such captive cervids originate from a monitored herd and have been classified negative to an official tuberculosis test that was conducted within 90 days prior to the date of movement.

6. Captive cervids not known to be affected with or exposed to tuberculosis that originate from all other herds may be moved interstate, provided that (1) they are accompanied by a certificate stating that such captive cervids have been classified negative in response to two official tuberculosis tests conducted no less

than 90 days apart, (2) the second test was conducted within 90 days prior to the date of movement, and (3) the animals were isolated from all other members of the herd during the testing period.

7. Captive cervids less than 12 months of age that originate from and were born in qualified or monitored herds may be moved without further tuberculosis testing, provided that they are accompanied by a certificate stating that such captive cervids originated from such herds and have not been exposed to captive cervids from a lower status herd.

8. Institutions that have been accredited by the American Zoo and Aquarium Association (AZA) are exempt from these requirements when movement is between accredited member facilities. Captive cervids in zoological parks that have been accredited by AZA are exempt from the regulations in this subpart when the captive cervids are moved directly interstate between AZA member facilities. Any captive cervids moved interstate that are not moved directly from an AZA member facility to another AZA member facility must be moved in accordance with the regulations in this subpart.

9. Except for captive cervids moving interstate under permit directly to slaughter or necropsy, each captive cervid or shipment of captive cervids to be moved interstate must be accompanied by a certificate issued within 30 days of the movement by a State or Federal animal health official or an accredited veterinarian. The certificate must state the number of the official eartag or other identification approved by the Administrator for each captive cervid to be moved, the number of captive cervids covered by the certificate, the purpose of the movement, the origin and destination of the captive cervids, the consignor, and the consignee.

C. Reporting of tests

A report of all tuberculosis tests (SCT, CCT, and BTB) shall be submitted in accordance with the requirements of the cooperating State and Federal officials. Results of the BTB test and other in vitro laboratory tests shall be reported by the authorized testing laboratories. This report shall include the identification of each animal by eartag number or tattoo or other identification, age, sex, and breed, record of all responses and a record of the size of the response, where indicated, and the test interpretation. Summary supporting BTB test data shall be included in reports submitted to State and Federal officials, and full supporting data shall be submitted on a case-by-case basis.

D. Procedures in affected herds

Disclosure of tuberculosis in any herd shall be followed by a complete epidemiologic investigation. All captive cervids in herds from which tuberculous animals originate and all captive cervids that are known to have associated with affected captive cervids or other affected animals shall be tested promptly. These procedures shall apply to adjacent and contact herds as well as to the evaluation and testing of possible source herds for the affected herd. Herds that have received exposed animals shall be tested following the slaughter or testing of the exposed animals. Every effort shall be made to ensure the immediate elimination of the disease from all species of animals on the premises. The herd shall be handled as outlined under Section G, Quarantine Procedures.

E. Disposition of tuberculin-responding captive cervids

1. Reactors shall remain on the premises where they were disclosed until a State or Federal permit for movement has been obtained. Movement for immediate slaughter will be within 15 days of classification directly to a slaughter establishment where approved State or Federal inspection is maintained.

Alternatively, the animals may be destroyed and a necropsy may be conducted by, or under the supervision of, a State or Federal regulatory veterinarian trained in tuberculosis necropsy procedures.

2. Herds containing suspects to the SCT test shall be quarantined until the suspect animals are

a. Retested negative by the CCT test within 10 days of the SCT test injection *or*

b. Retested negative by the CCT test after 90 days, *or*

c. Retested negative by the BTB test after 12 days and optimally before 30 days following the SCT test injection *or*

d. Shipped under permit directly to a slaughter facility under State or Federal inspection, or they may be necropsied by, or under the supervision of, a State or Federal regulatory veterinarian trained in tuberculosis necropsy procedures. If such animals are found without evidence of *M. bovis* infection by histopathology (including selected specimens submitted from animals having no gross lesions indicative of tuberculosis) or culture, they shall be considered negative for tuberculosis.

3. Suspects to the CCT test or equivocal to the BTB test shall remain under quarantine until

- a. Comparative cervical suspects are retested using the CCT test after 90 days *or*
- b. BTB-equivocal animals are retested using the BTB test optimally before 60 days following the SCT test injection *or*
- c. They are shipped under permit directly to a slaughter facility under State or Federal inspection, or necropsied by, or under the supervision of, a State or Federal regulatory veterinarian trained in tuberculosis necropsy procedures. Such animals shall be considered tuberculosis negative unless evidence of the disease is found by culture or histopathology (including selected specimens submitted from animals having no gross lesions).
4. An animal meeting the suspect criteria on two successive CCT or two BTB equivocal tests followed by one suspect CCT test shall be classified as a reactor and be identified as such. The testing veterinarian must justify exceptions in writing and must have the concurrence of State or Federal animal health officials.
5. An animal having two successive equivocal BTB tests may be retested with a CCT after 90 days of the SCT test injection, or may, at the owner's discretion, be sent to slaughter.

F. Identification of reactors (captive cervids)

Reactor captive cervids shall be identified by branding with the letter "T" on the left hip, not less than 2 inches (5 cm) nor more than 3 inches (7.5 cm) high, and by tagging with an official eartag bearing a serial number and the inscription "U.S. Reactor" attached to the left ear of each animal. In lieu of branding, the reactor(s) may be shipped to slaughter in an officially sealed vehicle or accompanied to slaughter by a State Federal regulatory official; provided that such reactor(s) are tattooed with the letters "TB" in the left ear and these letters are sprayed on the left ear with yellow paint.

G. Quarantine procedures (captive cervids)

1. All herds in which reactor animals are disclosed shall be quarantined. The remaining exposed animals must remain on the premises where the disease was disclosed unless a State or Federal permit for movement to slaughter has been obtained. Movement for immediate slaughter must be directly to a slaughter establishment where approved State or Federal inspection is administered. Animals must be identified by official eartag. Use of "S" branding is required as per 9 CFR, Part 50, or animals must be shipped in an officially sealed vehicle or accompanied to slaughter by a State Federal regulatory official. The "S" brand shall be applied to the left hip.
2. If captive cervid herds in which *M. bovis* is confirmed (affected herds) are not depopulated, they shall remain under quarantine. Such herds must also pass three consecutive whole-herd SCT tests to be released from quarantine. The BTB test may also be used, provided that it is used simultaneously with whole-herd SCT test. The sample for the BTB test may be taken at the time of injection or reading of the SCT test. All animals positive to either test shall be classified as reactors. The first test must be conducted 90 days or more after the last test yielding a positive animal and two additional tests must be conducted at 180-day minimum intervals. The CCT test shall not be used in affected herds until the completion of two consecutive negative whole-herd tests, or two consecutive whole-herd tests with NGL reactors only, in which selected tissues are negative on the basis of histopathology and culture. Five annual whole-herd tests of all animals shall be given following the release from quarantine.
3. Captive cervid herds that have had a test of all eligible animals with NGL reactors only and no evidence of tuberculosis infection found by histopathology and culture of *M. bovis* (including selected specimens submitted from animals having no gross lesions indicative of tuberculosis) may be released without further restrictions.
4. Captive cervid herds in which one or more animals are found to have compatible or suggestive lesions by histopathology without the isolation of *M. bovis* may be released from quarantine following a negative 90-day retest of the entire herd and with the concurrence of the regional tuberculosis epidemiologist, provided that there is no known association with *M. bovis*.
5. Captive cervid herds with NGL reactors only (in which no evidence of tuberculosis infection is found by histopathology and culture of *M. bovis*) and such herds where all eligible animals cannot be tested shall be evaluated by the State and/or regional tuberculosis epidemiologist for possible release from quarantine.

H. Retest schedules for high-risk herds

1. In herds with a history of lesions compatible with or suggestive of tuberculosis by histopathology (without isolation of *M. bovis*), two annual whole-herd tests shall be given after release from quarantine.

Herds with a bacteriologic isolation of a mycobacterial species other than *M. bovis* should be considered negative for bovine tuberculosis with no further testing requirements.

2. In a newly assembled herd on premises where a tuberculous herd has been depopulated, two annual whole-herd tests shall be given. The first test is to be given about 6 months after assembly of the new herd. If the premises had been vacated for 1 year, these requirements may be waived.

3. Exposed animals previously sold from known-infected herds shall be depopulated if possible or tested with the SCT test by State or Federal veterinarians. The BTB test may be used simultaneously with the SCT test as an additional diagnostic tool. The sample for the BTB test may be taken at the time of injection or reading of the SCT test. All animals with a positive response to either test shall be classified as reactors.

a. If bovine tuberculosis is confirmed in the exposed animal(s), the remainder of the receiving herd shall be classified as an infected herd and handled according to part IV, section G(2), of these UMR.

b. If negative to the test, the exposed animals will subsequently be handled as if they were part of the infected herd of origin for purposes of testing, quarantine release, and the five annual high-risk tests. The remainder of the herd shall be tested at the time of the initial investigation and retested in 1 year with the SCT test. Supplemental diagnostic tests may be used if needed.

4. Herds indicated as the source of an infected animal in slaughter traceback investigations shall be placed under quarantine within 30 days of notification to the Area Veterinarian-in-Charge, and a herd test shall be scheduled. Testing of source herds of slaughter animals having lesions of tuberculosis shall be done by State or Federal regulatory veterinarians. If the herd of origin is positively identified and *M. bovis* has been confirmed by bacterial isolation from the slaughtered animal, all animals responding to the SCT test shall be classified as reactors. In all other cases, supplemental diagnostic tests may be used.

5. Herds identified as the source of animals found to have tuberculous lesions in an affected herd shall be tested by State or Federal regulatory veterinarians using the SCT test. Responding animals may be classified as reactors or suspects. If classified as suspects, they may be retested by supplemental diagnostic tests.